



Journal of the House

State of Indiana

119th General Assembly

Second Regular Session

Tenth Day

Monday Afternoon

January 25, 2016

The invocation was offered by Pastor Jeff Sexton of Calvary Baptist Church in Kokomo, a guest of Representative Michael H. Karickhoff.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Randolph P. Truitt.

The Speaker ordered the roll of the House to be called:

Arnold	Kirchhofer
Austin	Klinker
Aylesworth	Koch
Bacon	Lawson
Baird	Lehe
Bartlett	Lehman
Bauer	Leonard
Behning	Lucas
Beumer	Lyness
Borders	Macer
Braun	Mahan
C. Brown	Mayfield
T. Brown	McNamara
Burton	D. Miller
Carbaugh	Moed
Cherry ☐	Morris ☐
Clere	Morrison
Cook	Moseley
Cox	Negele
Culver	Niezgodski
Davisson	Nisly
DeLaney	Ober
Dermody	Olthoff
DeVon	Pelath
Dvorak	Pierce
Eberhart	Porter
Ellington	Price
Errington	Pryor
Fine	Rhoads
Forestal	Richardson
Friend	Riecken
Frizzell ☐	Saunders
Frye	Schaibley
GiaQuinta	Shackleford
Goodin	Slager
Gutwein	Smaltz
Hale	M. Smith
Hamm	V. Smith
Harman ☐	Soliday
D. Harris	Speedy
Heaton	Stemler
Huston	Steuerwald
Judy	Sullivan
Karickhoff	Summers
Kersey	Thompson

Torr
Truitt
VanNatter
Washburne
Wesco

Wolkins
Wright
Zent
Ziemke
Mr. Speaker

Roll Call 30: 96 present; 4 excused. The Speaker announced a quorum in attendance. [NOTE: ☐ indicates those who were excused.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 26, 2016, at 1:30 p.m.

FRIEND

The motion was adopted by a constitutional majority.

The House recessed for the remarks of Congresswoman Jackie Walorski of Indiana's Second District.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1034, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1034 as printed January 12, 2016.)

Committee Vote: Yeas 22, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1046, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "bars, ingots, or commemorative medallions" and insert "**bars or ingots**".

Page 1, after line 14, begin a new paragraph and insert:

"SECTION 2. IC 24-4-20 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 20. Foreign Sellers of Precious Metals Bullion and Currency

Sec. 1. The following definitions apply throughout this chapter:

- (1) "Currency" means a coin made of gold, silver, or other metal or paper money that is or has been used as legal tender.
- (2) "Foreign entity" means:
 - (A) if the person is a sole proprietor, an individual who does not reside in Indiana; or
 - (B) if the person is not a sole proprietor, a person who is not organized under the laws of Indiana.
- (3) "Person" means a sole proprietor, a partnership, a

corporation, a limited liability company, or other business association.

(4) "Precious metals bullion" means bars or ingots of gold, silver, platinum, palladium, or a combination of these materials for which the value of the metal depends on its content and not its form.

(5) "Secretary" refers to the secretary of state.

Sec. 2. The secretary may issue a temporary license in accordance with this chapter to a foreign entity that:

(1) wishes to sell precious metals bullion or currency in Indiana;

(2) is not otherwise lawfully registered to conduct business in Indiana; and

(3) complies with requirements of this chapter.

Sec. 3. A license issued under this chapter expires not later than twenty-eight (28) days after the date on which the license is issued.

Sec. 4. A foreign entity that wishes to obtain a temporary license to sell precious metals bullion or currency in Indiana under this chapter must do the following:

(1) Submit an application to the secretary in the form and the manner prescribed by the secretary.

(2) Pay a fee of thirty-five dollars (\$35) to the secretary.

Sec. 5. A licensee under this chapter is entitled to sell precious metals bullion and currency in Indiana during the term of the license if the contract:

(1) is for the purchase of precious metal bullion or currency;

(2) requires physical delivery of the quantity of the precious metals bullion or currency purchased not later than twenty-eight (28) calendar days after payment of any part of the purchase price; and

(3) under which the purchaser receives physical delivery of the quantity of precious metals bullion or currency purchased not later than twenty-eight (28) calendar days after payment of any part of the purchase price.

Sec. 6. A foreign entity may not sell precious metals bullion or currency in Indiana unless the foreign entity:

(1) obtains a license under this chapter; or

(2) is otherwise authorized to conduct business in Indiana."

Renumber all SECTIONS consecutively.

(Reference is to HB 1046 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 16, nays 5.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1215, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Page 1, delete lines 1 through 15, begin a new paragraph and insert:

"SECTION 1. IC 4-4-37-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1.3. As used in this chapter, "division" refers to the division of historic preservation and archeology of the department of natural resources established by IC 14-21-1.

SECTION 2. IC 4-4-37-7, AS ADDED BY P.L.213-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The office may award a grant to a person in the year in which the person completes who submits plans for the preservation or rehabilitation of historic property and obtains the certifications required under section 8 of this chapter.

(b) The maximum amount of a grant awarded under this section is equal to ~~twenty percent (20%)~~ **thirty-five percent (35%)** of the qualified expenditures, ~~not to exceed one hundred thousand dollars (\$100,000)~~, that:

(1) the person makes for the preservation or rehabilitation of historic property; and

(2) are approved by the office.

SECTION 3. IC 4-4-37-8, AS ADDED BY P.L.213-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2016]: Sec. 8. The office may award a grant to a person if all the following conditions are met:

(1) The historic property is:

(A) located in Indiana;

(B) at least fifty (50) years old; and

(C) owned by the person. **This requirement does not apply to a nonprofit organization facilitating a qualified affordable housing project.**

(2) The office certifies that the historic property is listed in:

(A) the register of Indiana historic sites and historic structures; or

(B) the National Register of Historic Places, either individually or as a contributing resource in a National Register District.

(3) The office certifies that the person submitted a proposed preservation or rehabilitation plan to the division that complies with the standards of the division.

(4) The office certifies that the preservation or rehabilitation work that is the subject of the grant substantially complies with the proposed plan referred to in subdivision (3).

(5) The preservation or rehabilitation work is completed in not more than:

(A) two (2) years; or

(B) five (5) years if the preservation or rehabilitation plan indicates that the preservation or rehabilitation is initially planned for completion in phases:

The time in which work must be completed begins when the physical work of construction or destruction in preparation for construction begins.

(4) The submitted plan referenced in section 7 of this chapter complies with the program guidelines established by the office.

(6) (5) The historic property is to be:

(A) actively used in a trade or business;

(B) held for the production of income; or

(C) held for the rental or other use in the ordinary course of the person's trade or business.

(7) (6) The qualified expenditures for preservation or rehabilitation of the historic property exceed ten thousand dollars (\$10,000).

SECTION 4. IC 6-1.1-12-26.2, AS ADDED BY P.L.117-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]: Sec. 26.2. (a) The following definitions apply throughout this section:

(1) "Barn" means a building (other than a dwelling) that was designed to be used for:

(A) housing animals;

(B) storing or processing crops;

(C) storing and maintaining agricultural equipment; or

(D) serving an essential or useful purpose related to agricultural activities conducted on the adjacent land.

(2) "Heritage barn" for an assessment date means a barn that on the assessment date has the following

characteristics, as applicable:

(A) **The barn** was constructed ~~before 1950; at least fifty (50) years before the assessment date.~~

(B) **The barn** retains sufficient integrity of design, materials, and construction to clearly identify the building as a barn.

(C) **The barn** is not being used for agricultural purposes in the operation of an agricultural enterprise. ~~and~~

(D) **This clause applies only to a barn that was constructed less than one hundred (100) years before the assessment date.** The barn is not being used for a business purpose.

(3) "Eligible applicant" means:

(A) an owner of a heritage barn; or

(B) a person that is purchasing property, including a heritage barn, under a contract that:

(i) gives the person a right to obtain title to the property upon fulfilling the terms of the contract;

(ii) does not permit the owner to terminate the contract as long as the person buying the property complies with the terms of the contract;

(iii) specifies that during the term of the contract the person must pay the property taxes on the property; and

(iv) has been recorded with the county recorder.

(b) An eligible applicant is entitled to a deduction against the assessed value of the structure and foundation of a heritage barn beginning with assessments after 2014. The deduction is equal to one hundred percent (100%) of the assessed value of the structure and foundation of the heritage barn.

(c) An eligible applicant that desires to obtain the deduction provided by this section must file a certified deduction application with the auditor of the county in which the heritage barn is located. The application may be filed in person or by mail. The application must contain the information and be in the form prescribed by the department of local government finance. If mailed, the mailing must be postmarked on or before the last day for filing.

(d) Subject to subsection (e) and section 45 of this chapter, the application must be filed during the year preceding the year in which the deduction will first be applied. Upon verification of the application by the county assessor of the county in which the property is subject to assessment or by the township assessor of the township in which the property is subject to assessment (if there is a township assessor for the township), the auditor of the county shall allow the deduction.

(e) The auditor of a county shall, in a particular year, apply the deduction provided under this section to the heritage barn of the owner that received the deduction in the preceding year unless the auditor of the county determines that the property is no longer eligible for the deduction. A person that receives a deduction under this section in a particular year and that remains eligible for the deduction in the following year is not required to file an application for the deduction in the following year. A person that receives a deduction under this section in a particular year and that becomes ineligible for the deduction in the following year shall notify the auditor of the county in which the property is located of the ineligibility in the year in which the person becomes ineligible. A deduction under this section terminates following a change in ownership of the heritage barn. However, a deduction under this section does not terminate following the removal of less than all the joint owners of property or purchasers of property under a contract described in subsection (a).

(f) A county fiscal body may adopt an ordinance to require a person receiving the deduction under this section to pay an annual public safety fee for each heritage barn for which the person receives a deduction under this section. The fee may not exceed fifty dollars (\$50). The county auditor shall distribute

any public safety fees collected under this section equitably among the police and fire departments in whose territories each heritage barn is located. If a county fiscal body adopts an ordinance under this subsection, the county fiscal body shall furnish a copy of the ordinance to the department in the manner prescribed by the department.

SECTION 5. IC 33-36-3-6, AS AMENDED BY P.L.1-2010, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. ~~(a)~~ An ordinance violation admitted under this article does not constitute a judgment for the purposes of IC 33-37. An ordinance violation costs fee may not be collected from the defendant under IC 33-37-4.

~~(b) An ordinance violation processed under this chapter may not be considered for the purposes of IC 33-37-7-6 when determining the percentage of ordinance violations prosecuted in certain courts.~~

SECTION 6. IC 33-37-7-6, AS AMENDED BY P.L.201-2011, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) The qualified municipality share to be distributed to each city and town maintaining a law enforcement agency that prosecutes at least ~~fifty percent (50%)~~ **one (1)** of the city's or town's ordinance violations in a circuit or superior court located in the county is three percent (3%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-3(a) (juvenile costs fees).

(4) IC 33-37-4-4(a) (civil costs fees).

(5) IC 33-37-4-6(a)(1) (small claims costs fees).

(6) IC 33-37-4-7(a) (probate costs fees).

(7) IC 33-37-5-17 (deferred prosecution fees).

(b) The county auditor shall determine the amount to be distributed to each city and town qualified under subsection (a) as follows:

STEP ONE: Determine the population of the qualified city or town.

STEP TWO: Add the populations of all qualified cities and towns determined under STEP ONE.

STEP THREE: Divide the population of each qualified city and town by the sum determined under STEP TWO.

STEP FOUR: Multiply the result determined under STEP THREE for each qualified city and town by the amount of the qualified municipality share.

(c) The county auditor shall distribute semiannually to each city and town described in subsection (a) the amount computed for that city or town under STEP FOUR of subsection (b).

(d) This section applies after ~~June 30, 2005~~: **June 30, 2016**.

SECTION 7. [EFFECTIVE JULY 1, 2016] **(a) The general assembly urges the legislative council to assign the study of the personal property audit process to the interim study committee on fiscal policy during the 2016 legislative interim.**

(b) This SECTION expires January 1, 2017."

Delete pages 2 through 14.

Page 15, delete lines 1 through 41.

Renumber all SECTIONS consecutively.

(Reference is to HB 1215 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1231, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill do pass.

(Reference is to HB 1231 as introduced.)

Committee Vote: Yeas 11, Nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1246, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-4-11-0.4, AS ADDED BY P.L.220-2011, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 0.4. (a) On May 15, 2005, all powers, duties, agreements, and liabilities of the treasurer of state, the auditor of state, the department of environmental management, and the budget agency with respect to:

(1) the wastewater revolving loan program established by IC 13-18-13-1;

(2) the drinking water revolving loan program established by IC 13-18-21-1; and

(3) the supplemental drinking water and wastewater assistance program established by IC 13-18-21-21;

are transferred to the authority, as the successor agency, for the limited purposes described in subdivisions (1) through (3).

(b) On May 15, 2005, all records, money, and other property of the treasurer of state, the auditor of state, the department of environmental management, and the budget agency with respect to:

(1) the wastewater revolving loan program established by IC 13-18-13-1;

(2) the drinking water revolving loan program established by IC 13-18-21-1; and

(3) the supplemental drinking water and wastewater assistance program established by IC 13-18-21-21;

are transferred to the authority as the successor agency for the limited purposes described in subdivisions (1) through (3).

(c) On May 15, 2005, all powers, duties, agreements, and liabilities of the Indiana bond bank, the Indiana department of environmental management, and the budget agency with respect to:

(1) outstanding bonds issued for:

(A) the wastewater revolving loan program established by IC 13-18-13-1; or

(B) the drinking water revolving loan program established by IC 13-18-21-1; and

(2) any trust agreement or indenture, security agreement, purchase agreement, or other undertaking entered into in connection with the bonds described in subdivision (1);

are transferred to the authority, as the successor agency, for the limited purposes described in subdivisions (1) and (2). The rights of the trustee and the bondholders with respect to any bonds or any trust agreement or indenture, security agreement, purchase agreement, or other undertaking described in this subsection remain the same, although the powers, duties, agreements, and liabilities of the Indiana bond bank have been transferred to the authority and the authority shall be considered to have assumed all those powers, duties, agreements, and liabilities as if the authority were the Indiana bond bank for those limited purposes.

(d) On July 1, 2016, all powers, duties, agreements, and liabilities of the treasurer of state, the auditor of state, the department of natural resources, the natural resources commission, and the budget agency with respect to:

(1) the flood control program established by IC 14-28-5-1; and

(2) the flood control revolving fund created by IC 14-28-5-5;

are transferred to the authority, as the successor agency, for the limited purposes described in subdivisions (1) and (2).

(e) On July 1, 2016, all records, money, and other property of the treasurer of state, the auditor of state, the department of natural resources, the natural resources commission, and the budget agency with respect to:

(1) the flood control program established by IC 14-28-5-1; and

(2) the flood control revolving fund created by IC 14-28-5-5;

are transferred to the authority as the successor agency for the limited purposes described in subdivisions (1) and (2).".

Page 2, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 6. IC 14-8-2-155 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 155. "Local unit", for purposes of IC 14-28-5, has the meaning set forth in IC 14-28-5-4".

Page 9, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 19. IC 14-28-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. As used in this chapter, "flood control program" includes the following:

(1) The removal of obstructions and accumulated debris from channels of streams.

(2) The clearing and straightening of channels of streams.

(3) The creating of new and enlarged channels of streams, wherever required.

(4) The building or repairing of dikes, levees, or other flood protective works.

(5) The construction of bank protection works for streams.

(6) The establishment of floodways.

(7) Conducting all other activities that are permitted by the federal Flood Control Act and federal Clean Water Act.

SECTION 20. IC 14-28-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. As used in this chapter, "governing board" means the following:

~~(1) The legislative body of a county, city, or town.~~

~~(2) A board created by law to administer the affairs of a special taxing district; the participant.~~

SECTION 21. IC 14-28-5-4 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 4. As used in this chapter, "local unit" means county, city, town, or special taxing district created by law.

SECTION 22. IC 14-28-5-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4.5. As used in this chapter, "participant" means any of the following:

(1) A political subdivision as defined in IC 36-1-2-13.

(2) A regional water, sewage, or solid waste district organized under IC 13-26-1.

(3) A conservancy district established for purpose set forth in IC 14-33-1-1(a)(5).

(4) An owner of a wastewater treatment system that is authorized by the federal Clean Water Act to borrow from the wastewater revolving loan program established under IC 13-18-13.

SECTION 23. IC 14-28-5-5, AS AMENDED BY P.L.155-2015, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) The flood control revolving fund is created to provide money for loans and financial assistance to or for the benefit of participants under this chapter. The authority shall hold the fund in the name of the authority. The authority shall administer the fund in the manner provided by IC 4-4-11 and this chapter.

(b) Loans and financial assistance may be made from the fund to local units participants in accordance with the manner provided by IC 4-4-11 and this chapter, and the rules adopted

under this chapter:

(c) Money in the fund does not revert to the state general fund. The fund is a revolving fund to be used exclusively for the purposes of this chapter.

SECTION 24. IC 14-28-5-6 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 6: Except as otherwise provided with respect to the administration of the fund, the commission shall administer this chapter. The commission may do the following:

(1) Adopt rules under IC 4-22-2 that are considered necessary by the commission for the proper administration of this chapter;

(2) Subject to the approval of the budget committee, employ the personnel that are necessary for the efficient administration of this chapter;

SECTION 25. IC 14-28-5-7, AS AMENDED BY P.L.155-2015, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The authority may make an approved loan **or provide other financial assistance** from the fund to a **local unit participant**. The money loaned **or provided** is to be used by the **local unit participant** for the purpose of instituting, accomplishing, and administering an approved flood control program.

(b) The total amount outstanding under loans made under:

(1) this chapter; and

(2) IC 13-2-23 (before its repeal);

to one (1) local unit may not exceed three hundred thousand dollars (\$300,000):

SECTION 26. IC 14-28-5-8, AS AMENDED BY P.L.155-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. A **local unit participant** may institute, accomplish, and administer a flood control program if the following conditions are met:

(1) The program is authorized and approved by ordinance or resolution enacted by the governing board of the **local unit participant**.

(2) The flood control program has been approved by the authority, **and the commission**:

SECTION 27. IC 14-28-5-9, AS AMENDED BY P.L.155-2015, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. The authority shall authorize the making of a loan **or providing other financial assistance** to a **local unit participant** under this chapter only when the following conditions exist:

(1) An application for the loan **or other financial assistance** has been submitted by the **local unit participant** to the authority in the manner and form that the authority directs. The application must state the following:

(A) The need for the flood control program and the need for money for instituting, accomplishing, and administering the program.

(B) A detailed description of the program.

(C) An engineering estimate of the cost of the proposed program acceptable to the authority, **and the commission**:

(D) The amount of money considered to be needed.

(E) Other information that is requested by the authority, **and the commission**:

(2) There is a need, as determined by the **commission, authority**, for the proposed flood control program for the purpose of protecting the health, safety, and general welfare of the inhabitants of the **local unit participant's jurisdiction**.

(3) The proposed flood control program has been approved by the **commission**, if before granting the approval, the commission determines the following:

(A) That the program:

(i) is based upon sound engineering principles;

(ii) is in the interest of flood control; and

(iii) will accomplish the objectives of flood control:

(B) That for flood control programs involving the reconstruction or repair of existing flood control works that:

(i) in the judgment of the commission, constitutes an unreasonable obstruction or impediment to the proper discharge of flood flows; or

(ii) by virtue of their nature, location, or design, are subject to frequent damage or destruction;

approval is limited to the work that is necessary to afford emergency protection against actual or threatened damage to life and property:

(4) (3) The **local unit participant** agrees and furnishes assurance, satisfactory to the **commission, authority**, that the **local unit participant** will operate and maintain the flood control program, after completion, in a satisfactory manner.

SECTION 28. IC 14-28-5-10, AS AMENDED BY P.L.53-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) The **local unit participant** may:

(1) do work; and

(2) provide labor, equipment, and materials from any source at the **local unit's participant's** disposal; for the flood control program.

(b) The **commission authority** may do the following:

(1) Evaluate the participation of the **local unit participant** in the accomplishment of the project.

(2) Compute the participation as a part or all of the share of cost that the **local unit participant** is required to pay toward the total cost of the project for which the loan **or other financial assistance** from the fund is obtained.

(c) Participation authorized under this section must be under the direction of the governing board.

(d) If cash amounts are included in the **local unit's participant's** share of total cost, the amounts shall be provided in the usual and accepted manner for the financing of the affairs of the **local unit participant**.

(e) Costs of engineering and legal services to the borrower may be regarded as a part of the total cost of the project.

SECTION 29. IC 14-28-5-11, AS AMENDED BY P.L.53-2008, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 11. (a) The **commission authority** shall determine and ascribe to each applicant for a loan **and financial assistance** a priority rating. The rating must be based primarily on the need of the **local unit participant** for the proposed flood control program as the need is related to the needs of other applicants for loans **and financial assistance**. Except as provided in subsection (b):

(1) the **local units participants** having the highest priority rating shall be given first consideration in making loans **and providing financial assistance** under this chapter; and

(2) loans **and financial assistance** shall be made in descending order as shown by the priority ratings.

(b) If an emergency demands immediate relief from actual or threatened flood damage, the application made by a **local unit participant** for a loan **or financial assistance** may be considered regardless of a previous priority rating ascribed to the applicant.

SECTION 30. IC 14-28-5-12 IS REPEALED [EFFECTIVE JULY 1, 2016]. Sec. 12: (a) A loan made under this chapter **or under IC 13-2-23 (before its repeal)**:

(1) may be made for a period not to exceed ten (10) years; and

(2) bears interest at the rate of three percent (3%) a year:

(b) A local unit receiving a loan under this chapter shall agree to repay the loan in equal annual installments, including interest on the unpaid balance of the loan. The repayments, including interest, become part of the fund and do not revert to the state general fund. However, if a local unit levies a tax as provided in

this chapter, the first installment of the loan becomes due and payable out of money first received from the levying and the collection of a tax authorized under this chapter. A borrower may prepay a loan in full or in part without interest penalty.

SECTION 31. IC 14-28-5-12.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 12.1. (a) The authority shall establish the interest rate or parameters for establishing the interest rate on each loan and other financial assistance made under this chapter, including parameters for establishing the amount of interest subsidies.**

(b) The authority, in setting the interest rate or parameters for establishing the interest rate on each loan and other financial assistance, may take into account the following:

- (1) Credit risk.**
- (2) Environmental enforcement and protection.**
- (3) Affordability.**
- (4) Other fiscal factors the authority considers relevant, including the program's cost of funds and whether the financial assistance provided to a particular participant is taxable or tax exempt under federal law.**

Based on the factors set forth in subdivisions (1) through (4), more than one (1) interest rate may be established and used for loans and other financial assistance to different participants or for different loans and other financial assistance to the same participants.

SECTION 32. IC 14-28-5-12.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 12.3. A participant receiving a loan or other financial assistance from the fund shall enter into a financial assistance agreement with the authority. A financial assistance agreement is a valid, binding, and enforceable agreement on the participant.**

SECTION 33. IC 14-28-5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 13. A local unit participant receiving a loan or other financial assistance under:**

- (1) this chapter; or**
- (2) IC 13-2-23 (before its repeal);**

may levy an annual tax on personal and real property located within the geographical limits of the local unit participant for flood control purposes. The tax is in addition to any other tax authorized by law to be levied for flood control purposes. The tax shall be levied at the rate that will produce sufficient revenue to pay the annual installment and interest on a loan or other financial assistance made under this chapter or under IC 13-2-23 (before its repeal). The tax at the rate authorized in this section is in addition to the maximum annual rates prescribed by law.

SECTION 34. IC 14-28-5-14, AS AMENDED BY P.L.155-2015, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 14. If a local unit participant fails to make a payment to the fund or any other payment required by this chapter or under IC 13-2-23 (before its repeal) or is in any way indebted to the fund for an amount incurred or accrued, the state may recover the amount through any of the following:**

- (1) The state may, through the attorney general and on behalf of the authority, file a suit in the circuit or a superior court with jurisdiction in the county in which the local unit participant is located to recover the amount that the local unit participant owes the fund.**
- (2) The auditor of state may, after a sixty (60) day written notice to the local unit participant, withhold the payment and distribution of state money that the defaulting local unit participant is entitled to receive under Indiana law.**
- (3) For a special taxing district, upon certification by the**

auditor of state after a sixty (60) day written notice to the special taxing district, the auditor of each county containing land within the special taxing district shall withhold collected tax money for the special taxing district and remit the withheld tax money to the auditor of state. The auditor of state shall make a payment to the fund in the name of the special taxing district. Upon elimination of the delinquency payment, the auditor of state shall certify the fact to the auditors of the counties involved and any additional withheld tax money shall be released to the special taxing district.

SECTION 35. IC 14-28-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 15. There is appropriated annually to the commission authority from the state general fund from money not otherwise appropriated an amount sufficient to administer this chapter, subject to the approval of the budget committee."**

Page 11, line 11, delete "fifty" and insert "thirty".

Page 11, line 11, delete "\$150)." and insert "\$130)."

Renumber all SECTIONS consecutively.

(Reference is to HB 1246 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1273, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-10-37.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]: **Sec. 37.8. For assessment dates after December 31, 2015, tangible personal property is exempt from property taxation if that tangible personal property:**

- (1) is owned by a homeowners association (as defined in IC 32-25.5-2-4); and**
- (2) is held by the homeowners association for the use, benefit, or enjoyment of members of the homeowners association."**

Page 9, line 9, after "government" insert ".".

Page 9, line 9, strike "and determined by the".

Page 9, strike line 10.

Page 11, line 37, strike "that may".

Page 11, line 38, strike "be".

Page 20, line 27, delete "[EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:" and insert "[EFFECTIVE JULY 1, 2016]:".

Page 30, line 28, after "under" insert "this".

Page 41, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 26. IC 8-25-6-2, AS ADDED BY P.L.153-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 2. (a) If:**

- (1) the fiscal body of the county in which the a township is located does not adopt an ordinance under IC 8-25-2-1; and**
- (2) the township is adjacent to: either:**

- (A) an eligible county in which:**

(i) a public transportation project has been approved under IC 8-25-2; or

(ii) an ordinance described in IC 8-25-2 has been adopted; or

- (B) a another township in which:**

- (I) a public transportation project has been approved under this chapter; or
- (ii) a resolution described in this section has already been passed;

the fiscal body of the township may pass a resolution to place on the ballot a local public question on whether the fiscal body of the eligible county should be required to fund and carry out a public transportation project in the township.

(b) The fiscal body of the township shall include in the resolution passed under subsection (a):

- (1) a description of the public transportation services that will be provided in the township through the proposed public transportation project; and
- (2) an estimate of each tax necessary to annually fund the public transportation project in the township.

SECTION 27. IC 8-25-6-10, AS ADDED BY P.L.153-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) If the voters of a township located in an eligible county described in section 2(a)(2)(A)(I) or 2(a)(2)(B)(I) of this chapter approve a local public question under this chapter, the fiscal body of the eligible county in which the township is located shall adopt an ordinance under IC 6-3.5-1.1-24(s), IC 6-3.5-6-30(t), or IC 6-3.5-7-26(m), whichever is applicable to the eligible county, to impose an additional county adjusted gross income tax rate, county option income tax rate, or county economic development income tax rate upon the county taxpayers residing in the township for the public transportation project in the township.

(b) This subsection applies if the voters of a township described in section 2(a)(2)(A)(ii) or 2(a)(2)(B)(ii) of this chapter approve a local public question under this chapter and the voters in:

- (1) the eligible county described in section 2(a)(2)(A) of this chapter approve a local public question under IC 8-25-2; or
- (2) the township described in section 2(a)(2)(B) of this chapter approve a local public question under this chapter.

The fiscal body of the eligible county in which the township is located shall adopt an ordinance under IC 6-3.5-1.1-24(s) (before its repeal on January 1, 2017), IC 6-3.5-6-30(t) (before its repeal on January 1, 2017), IC 6-3.5-7-26(m) (before its repeal on January 1, 2017), or IC 6-3.6-4 (after December 31, 2016), whichever is applicable to the eligible county, to impose an additional county adjusted gross income tax rate, county option income tax rate, county economic development income tax rate, or local income tax rate upon the county taxpayers residing in the township for the public transportation project in the township."

Page 46, strike line 17 and insert "may be valid for a maximum of one (1) year after issuance. A card issued under subsection (b)(2) or (b)(3) that is valid for less than one (1) year must be sold at a fee prorated to the equivalent of the annual fee prescribed under subsection (d)."

Page 46, delete lines 18 through 27, begin a new paragraph and insert:

"SECTION 32. [EFFECTIVE JANUARY 1, 2008 (RETROACTIVE)]: (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) This SECTION applies to an assessment date occurring in 2008 through 2011.

(c) As used in this SECTION, "eligible property" means real property for which a charitable exemption from property taxes was granted for the 2012 through 2015 assessment dates that consists of:

- (1) a building owned, occupied, and used for the charitable fund raising activities described in subsection (d) during 2008 through 2015; and
- (2) a parking lot that serves the building described in

subdivision (1) during 2008 through 2015.

(d) As used in this SECTION, "qualified taxpayer" refers to an Indiana domestic nonprofit corporation that from 2008 through 2015:

- (1) owned the eligible property;
- (2) held a charity gaming license issued by the Indiana gaming commission under IC 4-32.2; and
- (3) used the eligible property to conduct charitable fund raising activities to support its boarding high school.

(e) A qualified taxpayer may before September 1, 2016, file property tax exemption applications and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 and this SECTION for the eligible property for the 2008 through 2011 assessment dates.

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e) and the county assessor finds that the eligible property would have qualified for an exemption under IC 6-1.1-10-16 for an assessment date described in subsection (e) if the property tax exemption application had been filed under IC 6-1.1-11 in a timely manner for that assessment date, the following apply:

- (1) The property tax exemption for the eligible property shall be allowed and granted for that assessment date by the county assessor and county auditor.
- (2) The qualified taxpayer is not required to pay any property taxes, penalties, or interest with respect to the eligible property for that assessment date.

(h) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(i) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for an assessment date described in subsection (e), the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2016, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(j) This SECTION expires July 1, 2018.

SECTION 33. [EFFECTIVE JANUARY 1, 2013 (RETROACTIVE)]: (a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.

(b) This SECTION applies to an assessment date occurring in 2013 through 2016.

(c) As used in this SECTION, "eligible property" means real property that:

- (1) was purchased through a foreclosure sale in June 2014; and
- (2) had been used as a church before the sale.

(d) As used in this SECTION, "qualified taxpayer" refers to a tax exempt foundation that has owned eligible property since October 2015, and the owner:

- (1) has sought to reuse the eligible property for an exempt purpose as a community building since purchasing the real property but has not been able to use and occupy the property for that purpose because of repair and renovation needs and rezoning issues;
- (2) did not receive any of the notices required by IC 6-1.1-4 or IC 6-1.1-11-4 regarding the property's

assessment or exemption due to errors in processing the deed to the eligible property; and

(3) filed a property tax exemption application in October 2015.

(e) A qualified taxpayer may before September 1, 2016, file property tax exemption applications and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 and this SECTION for the eligible property for the 2013, 2014, 2015, and 2016 assessment dates.

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e) the following apply:

(1) The property tax exemption for the eligible property shall be allowed and granted for the 2013, 2014, 2015, and 2016 assessment dates by the county assessor and county auditor of the county in which the eligible property is located notwithstanding that the owner was unable to use and occupy the property for an exempt purpose as a community building due to repair and renovation needs and rezoning issues.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the 2013, 2014, 2015, and 2016 assessment dates.

(h) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(i) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2013, 2014, 2015, and 2016 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2016, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(j) This SECTION expires July 1, 2018."

Renumber all SECTIONS consecutively.

(Reference is to HB 1273 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1290, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1290 as introduced.)

Committee Vote: Yeas 21, Nays 1.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1353, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 15, after "program" insert ", on behalf of the

state or in collaboration with partners and local communities across Indiana,".

Page 2, line 15, delete "engage partners and local".

Page 2, line 16, delete "communities across Indiana to".

Page 4, line 5, delete "nineteen (19)" and insert "twenty-four (24)".

Page 4, line 16, after "(7)" insert "(8)".

Page 4, line 16, reset in roman "Ten (10)".

Page 4, line 16, delete "(8) Five (5)".

Page 4, line 26, delete "Each" and insert "There must be two (2) committee members from each".

Page 4, line 27, after "Indiana" insert ":-".

Page 4, line 27, delete "must be represented by a committee member".

Page 6, line 8, delete "Eight" and insert "Eleven (11)".

Page 6, line 9, delete "(8)".

Page 9, line 26, delete "Seven percent (7%)" and insert "Nine percent (9%)".

Page 10, line 24, delete "includes" and insert "receives endorsement and".

Page 10, line 25, delete "from" and insert "from:

(1) a department division associated with the accounts listed in section 26(a)(1) through 26(a)(5) of this chapter; and

(2)".

(Reference is to HB 1353 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 22, nays 0.

BROWN T, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 13

Representatives Eberhart, Arnold, Austin, Baird, Bartlett, Bauer, Behning, Beumer, Borders, Bosma, Braun, T Brown, Burton, Carbaugh, Clere, Cook, Culver, Davisson, Dermody, DeVon, Errington, Fine, Forestal, Friend, Frizzell, Goodin, Gutwein, Hale, Harman, Harris, Huston, Kirchhofer, Klinker, Koch, Lawson, Lehe, Lehman, Lucas, Lyness, Macer, Mahan, Mayfield, McNamara, Miller, Moed, Morrison Moseley, Negele, Niezgodski, Ober, Olthoff, Pierce, Porter, Rhoads, Richardson, Schaibley, Saunders, Shackelford, Smaltz, M. Smith, V. Smith, Soliday, Stemler, Sullivan, Thompson, Truitt, VanNatter, Wesco, Wright, Hamm, Price, Morris, Frye, Leonard, Zent, Kersey, Aylesworth introduced House Concurrent Resolution 13:

A CONCURRENT RESOLUTION congratulating Indiana State Parks on its 100th anniversary, its contributions to the health, recreation, and outdoor education of Indiana's citizens and guests, and its commitment to the conservation of the State of Indiana's unique natural and cultural resources held in trust in those state parks.

Whereas, The Indiana State Park system celebrates 100 years in operation in 2016;

Whereas, Indiana's State Park system was a State centennial birthday gift to Indiana's citizens in 1916;

Whereas, The Indiana Historical Commission was established by an Act of the General Assembly, signed by Governor Samuel Ralston on March 8, 1915, to plan, memorialize, and document Indiana's centennial;

Whereas, The Indiana Historical Commission stated that a "dignified and worthy memorial should be established for the State as a whole as a part of the 1916 State centennial, and none was more worthy than the initiation of a state park system";

Whereas, The concept of establishing a state park system for Indiana was met with "spontaneous and enthusiastic support" from individuals and organizations such as the Indiana Academy of Science, the Indiana Forestry Association, the Indiana Audubon Society, and the Indianapolis Chamber of Commerce, among others;

Whereas, Colonel Richard Lieber was appointed Chair of the State Park Committee of the Indiana Historical Commission and was charged with acquiring land for state parks that might "include tracts or buildings associated by history or tradition with the development of the State," or "should be selected because of scenic or primeval charms, thus preserving for all time, some of the beauty spots and virgin forests [of Indiana] which cannot be reproduced";

Whereas, Colonel Lieber and the State Park Committee dedicated their time and energy to encourage businesses and individuals to contribute funds for land acquisition for Indiana's first state park(s), a tradition that continues today;

Whereas, McCormick's Creek State Park, Indiana's first state park, and Turkey Run State Park, Indiana's second state park, were established and presented to the State in 1916 by Colonel Lieber and the State Park Committee of the Indiana Historical Commission;

Whereas, These state parks were established, in the words of Colonel Lieber, to "refresh and strengthen and renew tired people, and fit them for the common round of daily life" and with the understanding that state parks could be economic drivers for communities through their role in tourism and job creation;

Whereas, Over the last century of both progress and challenge in our State, Indiana State Parks have developed into a nationally recognized system of 32 properties, including 24 state parks, eight United States Army Corps of Engineers reservoirs, and seven state park inns located within parks;

Whereas, State park staff at all levels have provided outstanding vision and public service to conserve and manage facilities, programs, and natural and cultural resources, and continue to evaluate and respond to outdoor recreation and resource management trends in the 21st Century;

Whereas, Our Indiana State Parks continue to provide a wide variety of memorable outdoor experiences for all guests while maintaining Indiana's unique natural landscapes and cultural features;

Whereas, We affirm as true today Colonel Richard Lieber's 20th Century statement that "Like mighty altars stand our parks; masterpieces of creation and the crowning glory of our land; rich storehouses of memories and reveries; guides and counsels to the weary and faltering of spirit; bearers of wonderful tales to him who will listen; a solace to the aged and an inspiration to the young. Let us so keep them as sacred inheritance, and so transmit them to future generations"; and

Whereas, It is fitting that the Indiana General Assembly give special recognition to Indiana State Parks during its 100th anniversary celebration: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Indiana State Parks on the 100th anniversary of its founding and its continued commitment to providing outstanding outdoor experiences for all of Indiana's citizens, and to maintaining excellence in stewardship of the natural and cultural resources with which the system is entrusted.

SECTION 2. The Principal of the Clerk of the House of

Representatives shall transmit copies of this resolution to the commissioner of the Indiana Department of Natural Resources.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Glick.

Senate Concurrent Resolution 11

The Speaker handed down Senate Concurrent Resolution 11, sponsored by Representatives Stemler, Clere, Rhoads, Davisson, Goodin:

A CONCURRENT RESOLUTION congratulating Our Lady of Providence Junior/Senior High School Volleyball team on its IHSAA 3A state championship title.

Whereas, Our Lady of Providence Junior/Senior High School Volleyball team (37-3) won the IHSAA Class 3A state championship game in three sets against Yorktown on November 7, 2015 in Muncie, Indiana;

Whereas, The championship title was the third in a row for the team, making them the fourth IHSAA school in history to accomplish this achievement;

Whereas, The team also boded a post-season record of 20 consecutive wins – which is the longest active winning streak in IHSAA tournament history;

Whereas, Senior Audrey Shannon was the third Our Lady of Providence player in three seasons, and the fifth volleyball player from the school, to receive the Mental Attitude Award at state finals;

Whereas, Head Coach Terri Purichia was also selected as the Indiana Coaches of Girls Sports Association Class 3A State Coach of the Year; and

Whereas, The team will graduate six seniors who have all been a part of a state championship team all four years on the team: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Our Lady of Providence Junior/Senior High School Volleyball team on its IHSAA championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Head Coach Terri Purichia; Assistant Coaches Brandy Denning, Karrie Quenichet, Taylor Koetter, Maria Cochran and Hayley Koetter; team members Audrey Shannon, Jacqueline Hornung, Anna Wingate, Amanda Barney, Alyson Bass, Claire Shannon, Cheyenne Brooks, Amelia Fougrousse, Lexie Libs, Marissa Hornung, Lillian Bivens, Madison Krue and Hanna Mitchell; and student assistants Sydney Boggs, Erica Denison and Mary Kate Whitten.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1, the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1028, 1038, 1047, 1048, 1105, 1199, 1220, 1224, 1235, 1264, 1271, 1294 and 1365.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:26 p.m. with the Speaker Pro Tempore in the Chair.

Representative M. Smith who had been present, is now excused.

HOUSE BILLS ON SECOND READING

House Bill 1002

Representative Bosma called down House Bill 1002 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1002-1)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 2, line 9, delete "initially enrolls" and insert "is enrolled".

Page 2, line 17, delete "after June 30, 2016,".

Page 2, line 40, after "scholarship." insert "**The commission shall give priority to recent high school graduates when selecting applicants.**".

(Reference is to HB 1002 as printed January 22, 2016.)

BOSMA

Motion prevailed.

HOUSE MOTION (Amendment 1002-4)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-3.1-25 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]:

Chapter 25. Credit for Payment by an Individual of Student Loan Interest

Sec. 1. As used in this chapter, "qualified education loan" has the meaning set forth in Section 221(d)(1) of the Internal Revenue Code.

Sec. 2. As used in this chapter, "qualified taxpayer" means an individual who:

- (1) is a resident of Indiana;
- (2) has received an associate degree, a baccalaureate degree, or a higher degree from a nonprofit college or university (as defined in IC 21-7-13-23(b));
- (3) is employed in Indiana during the taxable year;
- (4) pays interest during the taxable year on a qualified education loan; and
- (5) claims the deduction under Section 221 of the Internal Revenue Code for interest on a qualified education loan on the individual's federal income tax return for the taxable year.

Sec. 3. As used in this chapter, "state income tax liability" means a qualified taxpayer's total income tax liability incurred under IC 6-3 and computed after application of credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

Sec. 4. (a) Subject to the limitations and requirements set forth in this chapter, a qualified taxpayer is entitled to a credit against the qualified taxpayer's state income tax liability for a taxable year. The amount of the credit is equal to the result of:

- (1) fifty percent (50%); multiplied by
- (2) the lesser of:
 - (A) one thousand dollars (\$1,000); or
 - (B) the amount of interest on a qualified education loan for which the qualified taxpayer claimed the deduction under Section 221 of the Internal Revenue Code for the taxable year.

(b) A qualified taxpayer is not entitled to a credit under

this chapter for any interest paid by the qualified taxpayer's employer.

Sec. 5. (a) If the amount of the credit determined under section 4 of this chapter for a qualified taxpayer in a taxable year exceeds the qualified taxpayer's state tax liability for that taxable year, the qualified taxpayer may carry the excess over to the following taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the qualified taxpayer to obtain a credit under this chapter for any subsequent taxable year. A qualified taxpayer is not entitled to a carryback of the credit under this chapter.

(b) A qualified taxpayer is not entitled to a refund of any unused credit under this chapter.

Sec. 6. A qualified taxpayer may claim the credit under this chapter only for taxable years beginning in the later of:

- (1) the first five (5) calendar years that follow the calendar year in which the qualified taxpayer first received a degree described in section 2(2) of this chapter; or
- (2) the first five (5) calendar years in which the qualified taxpayer is required to make payments on a qualified education loan.

Sec. 7. To receive the credit provided by this chapter, a qualified taxpayer must claim the credit on the qualified taxpayer's annual state income tax return or returns in the manner prescribed by the department. The qualified taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this chapter.

SECTION 2. IC 6-3.1-25.3 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2018]:

Chapter 25.3. Credit for Payment by an Employer of Employees' Student Loans

Sec. 1. As used in this chapter, "qualified education loan" has the meaning set forth in Section 221(d)(1) of the Internal Revenue Code.

Sec. 2. As used in this chapter, "qualified employee" means an individual who:

- (1) is a resident of Indiana;
- (2) has received an associate degree, a baccalaureate degree, or a higher degree from a nonprofit college or university (as defined in IC 21-7-13-23(b));
- (3) is employed in Indiana by the employer during the taxable year; and
- (4) is first hired by the employer after June 30, 2016.

Sec. 3. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

- (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
- (2) IC 27-1-18-2 (the insurance premiums tax); and
- (3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

Sec. 4. (a) Subject to the limitations and requirements set forth in this chapter, a taxpayer is entitled to a credit under this chapter if during the taxable year the taxpayer makes a payment directly to a lender for amounts due from a qualified employee for repayment of a qualified education loan. Subject to subsections (b) and (c), the amount of the credit for such a payment is equal to the result of:

- (1) fifty percent (50%); multiplied by
- (2) the lesser of:
 - (A) seven thousand five hundred dollars (\$7,500); or
 - (B) the amount of the payment by the taxpayer directly to a lender for amounts due from the qualified employee for repayment of a qualified education loan.

(b) The amount of a taxpayer's credit under this chapter

in a taxable year is equal to the sum of the amounts determined under subsection (a) for the taxpayer's payments of qualified education loan amounts for the taxpayer's qualified employees during the taxable year. However, a taxpayer may claim a credit under this chapter only for payments of qualified education loan amounts on behalf of not more than fifty (50) qualified employees during a particular taxable year.

(c) A taxpayer may claim the credit under this chapter only for payments of qualified education loan amounts on behalf of a qualified employee that are made in taxable years beginning in the later of:

- (1) the first five (5) calendar years that follow the calendar year in which the qualified employee first received a degree described in section 2(2) of this chapter; or
- (2) the first five (5) calendar years in which the qualified employee is required to make payments on a qualified education loan.

Sec. 5. (a) If the amount of the credit determined under section 4 of this chapter for a taxpayer in a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess over to the following taxable years. The amount of the credit carryover from a taxable year shall be reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year. A taxpayer is not entitled to a carryback of the credit under this chapter.

(b) A taxpayer is not entitled to a refund of any unused credit under this chapter.

Sec. 6. (a) If a pass through entity does not have state income tax liability against which the credit under this chapter may be applied, a shareholder, partner, or member of the pass through entity is entitled to a credit equal to:

- (1) the credit determined for the pass through entity for the taxable year; multiplied by
- (2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

(b) The credit provided under subsection (a) is in addition to a credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under this chapter. However, a pass through entity and a shareholder, partner, or member of the pass through entity may not claim a credit under this chapter for the same payment of qualified education loan amounts.

Sec. 7. To receive the credit provided by this chapter, a taxpayer must claim the credit on the taxpayer's tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this chapter."

Page 6, after line 11, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JANUARY 1, 2018] (a) IC 6-3.1-25, as added by this act, applies to taxable years beginning after December 31, 2017.

(b) IC 6-3.1-25.3, as added by this act, applies to taxable years beginning after December 31, 2017.

(c) This SECTION expires January 1, 2021."

Renumber all SECTIONS consecutively.

(Reference is to HB 1002 as printed January 22, 2016.)

DELANEY

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

The bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Bill 1019

Representative Mahan called down House Bill 1019 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1019-3)

Mr. Speaker: I move that House Bill 1019 be amended to read as follows:

Page 16, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 5. IC 5-14-3-5.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5.2. (a) This section does not apply to a request for access to a law enforcement recording by a requester under section 5.1 of this chapter.

(b) Notwithstanding section 4(b)(27) of this chapter, if a person is denied access to a law enforcement recording, the person may file:

- (1) a petition with the public access counselor requesting:
 - (A) the appointment of a senior judge; and
 - (B) a public hearing; or
- (2) an action with the circuit or superior court of the county as set forth in subsection (i).

A party is not required to file a petition under subdivision (1) as a prerequisite for filing an action with the court under subdivision (2).

(c) A written petition described in subsection (b)(1) must be filed with the public access counselor not more than fifteen (15) days after the date of the denial under section 4.4 of this chapter. The public access counselor shall request appointment of a senior judge as set forth in IC 33-24-3-7. If appointed, the senior judge shall conduct a public hearing and issue an order regarding disclosure. The order of the senior judge is binding on the parties if the order is not appealed to a court under section 9 of this chapter within the time set forth in subsection (h).

(d) Inspection of the law enforcement recording is restricted to in camera review by the public access counselor, senior judge, and the court.

(e) In the case of petition under subsection (b)(1), at the public hearing conducted by a senior judge, the petitioner and the public agency are parties and have the right to cross examine witnesses, submit legal arguments, and otherwise participate fully in the proceeding. A party may be represented by counsel. A requestor under section 5.1 of this chapter or a member of the public who desires to support or oppose a matter may present views and may otherwise participate in a proceeding at the discretion of the senior judge and subject to any limitations established by the senior judge.

(f) The decision of the senior judge or a court (in an action under section 9 of this chapter, or upon appeal under subsection (h)) to withhold the recording from disclosure must be based on specific findings of fact and conclusions of law, showing that the remedial benefits to be gained by effectuating the public policy of the state declared in section 1 of this chapter are outweighed by proof by a preponderance of the evidence by the public agency seeking to withhold the law enforcement recording that:

- (1) if section 4(b)(19) of this chapter applies, the public agency that owns, occupies, leases, or maintains the airport does not approve the disclosure of the recording; or
- (2) on the facts of the particular case:
 - (A) the public interest will be served by not allowing access to the recording;
 - (B) access to or dissemination of the recording creates a significant risk of substantial harm to any person or to the general public; and
 - (C) the release of the recording creates a prejudicial

effect on ongoing civil or criminal proceedings.

(g) In the case of a petition under subsection (b)(1), if the senior judge orders the disclosure of a law enforcement recording, the order of the senior judge is automatically stayed and does not take effect until:

- (1) the period for filing an appeal with a court under subsection (h) has expired; or
- (2) the final disposition of the appeal.

(h) The petitioner or respondent may appeal an order of the senior judge by filing an action in the circuit or superior court of the county in which the denial occurred, under section 9 of this chapter, not later than thirty (30) days after the date of the order. The public access counselor may appear before the court and file any motion or pleading in the matter. The court shall hear the matter de novo and without a jury. The provisions of section 9(i) and 9(j) of this chapter regarding attorney's fees and penalties do not apply.

(i) Instead of filing a petition with the public access counselor for a senior judge under subsection (b)(1), a person denied access to a law enforcement recording may file an action directly with the circuit or superior court of the county under section 9 of this chapter not later than thirty (30) days after the date of the denial by the agency. The provisions of section 9(i) and 9(j) of this chapter regarding attorney's fees and penalties do not apply.

(j) If the public agency discloses a recording in accordance with an order of a senior judge or a court to disclose a law enforcement recording, the public agency shall disclose the recording after obscuring:

- (1) any information described in section 4(a) of this chapter;
- (2) depictions of:
 - (A) an individual's death or a dead body;
 - (B) acts of severe violence that:
 - (i) are against any individual who is clearly visible; and
 - (ii) result in serious bodily injury (as defined in IC 35-31.5-2-292);
 - (C) serious bodily injury (as defined in IC 35-31.5-2-292);
 - (D) nudity (as defined in IC 35-49-1-5);
 - (E) an individual who is less than eighteen (18) years of age;
 - (F) personal medical information;
 - (G) a victim of a crime, or any information identifying the victim of a crime;
 - (H) a witness to a crime or an individual who reports a crime, or any information identifying a witness to a crime or an individual who reports a crime;
 - (I) a law enforcement officer operating in an undercover capacity; and
 - (J) a confidential informant; and
- (3) any information that the public agency may obscure under section 4(b)(2) through 4(b)(18) of this chapter.

(k) Notwithstanding any other law, a person may not be awarded attorney's fees, court costs, and other reasonable expenses of litigation at any stage of the proceedings. The penalty provisions of IC 5-14-3-9.5 do not apply to the denial of access to a law enforcement recording under this section."

Page 17, delete lines 1 through 22.

Page 18, line 37, delete "A" and insert "Subject to section 5.2 of this chapter, a".

Page 19, line 37, delete "5.2(a)" and insert "5.2(f)".

Page 20, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 10. IC 33-24-3-7, AS AMENDED BY P.L.201-2011, SECTION 21, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The supreme court may appoint a judge who is certified as a senior judge by the judicial nominating commission to serve:

(1) a circuit court, a superior court, a probate court, the tax court, or the court of appeals if the court requests the services of a senior judge; or

(2) in a proceeding under IC 5-14-3-5.2 if the public access counselor requests the services of a senior judge.

(b) The supreme court may adopt rules concerning:

(1) certification by the judicial nominating commission; and

(2) appointment by the supreme court; of senior judges."

Renumber all SECTIONS consecutively.

(Reference is to HB 1019 as printed January 14, 2016.)

DELANEY

Motion failed.

HOUSE MOTION (Amendment 1019-5)

Mr. Speaker: I move that House Bill 1019 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 1.5. Mandatory Patrol Officer Equipment

Sec. 1. The following definitions apply throughout this chapter:

(1) "Firearm" has the meaning set forth in IC 35-47-1-5.

(2) "Law enforcement agency" has the meaning set forth in IC 35-47-15-2.

(3) "Law enforcement officer" has the meaning set forth in IC 5-2-1-2.

(4) "Mace" means a nonlethal chemical spray used for the purpose of temporarily incapacitating an individual.

(5) "Patrol officer" means a uniformed law enforcement officer whose primary responsibilities consist of:

- (A) enforcement of traffic laws;
- (B) enforcement of criminal laws;
- (C) identification, pursuit, and arrest of perpetrators; or
- (D) responding to emergency dispatches.

(6) "Taser" has the meaning set forth in IC 35-47-8-3.

Sec. 2. Except as provided in section 4 of this chapter, after June 30, 2017, each patrol officer in Indiana shall be equipped with:

- (1) a firearm;
- (2) a nightstick;
- (3) a taser; and
- (4) mace;

while on duty.

Sec. 3. Section 2 of this chapter applies to the following individuals:

- (1) A patrol officer.
- (2) Any other law enforcement officer required to be subject to section 2 of this chapter by the chief executive officer of the law enforcement agency to which the law enforcement officer belongs.

Sec. 4. Any:

- (1) patrol officer; or
- (2) law enforcement officer described in section 3(2) of this chapter;

may request an exception to the requirements of section 2 of this chapter from the chief executive officer of the law enforcement agency to which the patrol officer or law

enforcement officer belongs.

Sec. 5. This chapter does not prevent a law enforcement officer not listed in section 3 of this chapter from possessing, carrying, or using the equipment listed in section 2 of this chapter.

SECTION 2. IC 5-2-6-3, AS AMENDED BY P.L.213-2015, SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. The institute is established to do the following:

- (1) Evaluate state and local programs associated with:
 - (A) the prevention, detection, and solution of criminal offenses;
 - (B) law enforcement; and
 - (C) the administration of criminal and juvenile justice.
- (2) Improve and coordinate all aspects of law enforcement, juvenile justice, and criminal justice in this state.
- (3) Stimulate criminal and juvenile justice research.
- (4) Develop new methods for the prevention and reduction of crime.
- (5) Prepare applications for funds under the Omnibus Act and the Juvenile Justice Act.
- (6) Administer victim and witness assistance funds.
- (7) Administer the traffic safety functions assigned to the institute under IC 9-27-2.
- (8) Compile and analyze information and disseminate the information to persons who make criminal justice decisions in this state.
- (9) Serve as the criminal justice statistical analysis center for this state.
- (10) Identify grants and other funds that can be used by the department of correction to carry out its responsibilities concerning sex or violent offender registration under IC 11-8-8.
- (11) Administer the application and approval process for designating an area of a consolidated or second class city as a public safety improvement area under IC 36-8-19.5.
- (12) Develop and maintain a meth watch program to inform retailers and the public about illicit methamphetamine production, distribution, and use in Indiana.
- (13) Develop and manage the gang crime witness protection program established by section 21 of this chapter.
- (14) Identify grants and other funds that can be used to fund the gang crime witness protection program.
- (15) Administer any sexual offense services.
- (16) Administer domestic violence programs.
- (17) Administer assistance to victims of human sexual trafficking offenses as provided in IC 35-42-3.5-4.
- (18) Administer the domestic violence prevention and treatment fund under IC 5-2-6.7.
- (19) Administer the family violence and victim assistance fund under IC 5-2-6.8.
- (20) In conjunction with the division of mental health and addiction, establish the Indiana technical assistance center for crisis intervention teams under IC 5-2-21.2.
- (21) Monitor and evaluate criminal code reform under IC 5-2-6-24.
- (22) Administer the enhanced enforcement drug mitigation area fund and pilot program established under IC 5-2-11.5.
- (23) **Identify grants and other funds that may be used to fund the purchase of the mandatory patrol officer equipment specified under IC 5-2-1.5."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1019 as printed January 14, 2016.)

PORTER

Representative Torr rose to a point of order, citing Rule 80,

stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

The bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 4

The Speaker handed down Senate Concurrent Resolution 4, sponsored by Representatives Koch, T. Brown and Porter:

A CONCURRENT RESOLUTION recognizing the Legislative Services Agency's Office of Fiscal and Management Analysis for its leadership in developing evidence on the effectiveness of tax incentives for economic development.

Whereas, On November 16, 2015, The PEW Charitable Trusts recognized Indiana as a national leader in developing rigorous research on the impact of tax incentives on economic development;

Whereas, The Legislative Services Agency's Office of Fiscal and Management Analysis undertook this research following the passage of House Bill 1020 in 2014, and House Bill 1142 in 2015, both of which were authored by Representative Koch and sponsored by Senator Hershman;

Whereas, HB 1020 required an initial evaluation of all of the tax incentives that Indiana provides to encourage economic development, and HB 1142 then required an annual review of those incentive to assist the General Assembly in future policy determinations;

Whereas, In the short time since these bills were enacted, the members of the Legislative Services Agency's Office of Fiscal and Management Analysis have provided some of the highest quality analysis available in any state, becoming a recognized frontrunner in their field; and

Whereas, In developing evidence on the effectiveness of the state's tax incentives for economic development, the members of the Office of Fiscal and Management Analysis have provided the General Assembly with meaningful data to best target economic development investments, which will assist Indiana in maintaining its distinguished business climate, and which has already led to the repealing of two programs that were shown to be less effective than other strategies: Therefore,

*Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:*

SECTION 1. That the Indiana General Assembly recognizes and thanks the members of the Legislative Services Agency's Office of Fiscal and Management Analysis for their leadership in developing evidence on the effectiveness of tax incentives for economic development.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Director of the Office of Fiscal and Management Analysis, Jim Landers; the Executive Director of the Legislative Services Agency, George Angelone; and Fiscal Analysts Heath Holloway, Randhir Jha, Bob Sigalow, Austin Spears, Lauren Tanselle, and Anita Yadavalli.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

HOUSE BILLS ON SECOND READING

House Bill 1024

Representative Torr called down House Bill 1024 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1085

Representative Eberhart called down House Bill 1085 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1089

Representative Frye called down House Bill 1089 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1089-1)

Mr. Speaker: I move that House Bill 1089 be amended to read as follows:

Page 1, delete lines 15 through 17.

Page 2, delete line 1, begin a new paragraph and insert:

"SECTION 2. IC 10-17-1-6, AS AMENDED BY P.L.136-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) The director of veterans' affairs:

- (1) is the executive and administrative head of the Indiana department of veterans' affairs; and
- (2) shall direct and supervise the administrative and technical activities of the department;

subject to the general supervision of the commission.

(b) The duties of the director include the following:

- (1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.
- (2) To appoint the employees of the department necessary to carry out this chapter and to fix the compensation of the employees. Employees of the department must qualify for the job concerned.
- (3) To carry out the program for veterans' affairs as directed by the governor and the commission.
- (4) To carry on field direction, inspection, and coordination of **district**, county, and city service officers as provided in this chapter.
- (5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.
- (6) To maintain an information bulletin service to **district**, county, and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work, including information necessary to inform veterans of the provisions of IC 22-9-10.
- (7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.
- (8) To perform the duties described in IC 10-17-12 for the military family relief fund.
- (9) To establish a program and set guidelines under which a medal of honor awardee may receive compensation when attending and participating in official ceremonies.
- (10) **To establish six (6) districts in Indiana to be staffed by a district service officer in each of the districts.**
- (11) **To appoint a district service officer to each of the six (6) districts established under subdivision (10)."**

Page 2, line 7, delete "commission under section 4(6)" and insert "**director of veterans' affairs under section 6(b)(10)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1089 as printed January 22, 2016.)

FRYE

Motion prevailed. The bill was ordered engrossed.

House Bill 1109

Representative Huston called down House Bill 1109 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1109-1)

Mr. Speaker: I move that House Bill 1109 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-30-16-3, AS AMENDED BY P.L.146-2008, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) The commission shall transfer the surplus revenue in the administrative trust fund as follows:

- (1) Before the last business day of January, April, July, and October, the commission shall transfer to the treasurer of state, for deposit in the Indiana state teachers' retirement fund (IC 5-10.4-2), seven million five hundred thousand dollars (\$7,500,000). Notwithstanding any other law, including any appropriations law resulting from a budget bill (as defined in IC 4-12-1-2), the money transferred under this subdivision shall be set aside in the pension stabilization fund (IC 5-10.4-2-5) to be used as a credit against the unfunded accrued liability of the pre-1996 account (as defined in IC 5-10.4-1-12) of the Indiana state teachers' retirement fund. The money transferred is in addition to the appropriation needed to pay benefits for the state fiscal year.
- (2) Before the last business day of January, April, July, and October, the commission shall transfer seven million five hundred thousand dollars (\$7,500,000) of the surplus revenue to the treasurer of state for deposit in the pension relief fund (IC 5-10.3-11).

(3) This subdivision applies to a state fiscal year beginning July 1, 2016, and ending June 30, 2017. Before the last business day of January, April, July, and October, the commission shall transfer five million dollars (\$5,000,000) of the surplus revenue to the treasurer of state for deposit in the Indiana teacher quality and professional improvement grant program fund established by IC 20-20-42-2.

(4) The surplus revenue remaining in the fund on the last day of January, April, July, and October after the transfers under subdivisions (1) and (2) through (3) shall be transferred by the commission to the treasurer of state for deposit on that day in the build Indiana fund.

(b) The commission may make transfers to the treasurer of state more frequently than required by subsection (a). However, the number of transfers does not affect the amount that is required to be transferred for the purposes listed in subsection (a)(1) ~~and (a)(2): through (a)(3)~~. Any amount transferred during the month in excess of the amount required to be transferred for the purposes listed in subsection (a)(1) and (a)(2) shall be transferred to the build Indiana fund."

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 3. IC 20-20-42 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 42. Indiana Teacher Quality and Professional Improvement Grant Program

Sec. 1. As used in this chapter, "fund" refers to the Indiana teacher quality and professional improvement grant program fund established by section 2 of this chapter.

Sec. 2. (a) The Indiana teacher quality and professional improvement grant program fund is established for the purpose of providing grants under section 3 of this chapter. The fund consists of:

- (1) money appropriated by the general assembly;**
 - (2) money transferred under IC 4-30-16-3(a)(3); and**
 - (3) grants, gifts, and donations to the fund.**
- (b) The fund shall be administered by the department.**
- (c) The expenses of administering the fund shall be paid**

from money in the fund.

Sec. 3. (a) The Indiana teacher quality and professional improvement grant program is established to identify, develop, and fund methods to confer honor upon the teaching profession and upon individual teachers in Indiana. The department shall administer the program.

(b) Not later than September 1, 2016, the department shall develop criteria and application procedures for awarding grants under subsection (c).

(c) Not later than December 1, 2016, the department shall award grants in amounts and in a manner prescribed by the department from the fund for the following:

- (1) Continuing education for teachers.**
- (2) Professional development training for teachers.**
- (3) Paid sabbatical leave for teachers.**
- (4) Teacher fellowships.**
- (5) Inschool projects for upgrading curriculum or improving instruction.**

Sec. 4. This chapter expires July 1, 2017."

Renumber all SECTIONS consecutively.

(Reference is to HB 1109 as printed January 22, 2016.)

PORTER

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that Representative Porter's amendment violates House Rule 80. The amendment addresses and is assuredly germane to the bill's subject matter of education.

PORTER
PIERCE

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

The question was, Shall the ruling of the Chair be sustained? Roll Call 31: yeas 62, nays 27. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

The bill was ordered engrossed.

House Bill 1161

Representative Gutwein called down House Bill 1161 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1161-1)

Mr. Speaker: I move that House Bill 1161 be amended to read as follows:

- Page 2, line 28, delete "\$150" and insert "**\$153**".
- Page 2, line 31, delete "\$275" and insert "**\$281**".
- Page 2, line 32, delete "\$375" and insert "**\$383**".
- Page 2, line 33, delete "\$450" and insert "**\$459**".
- Page 3, line 25, delete "\$150" and insert "**\$153**".
- Page 3, line 28, delete "\$275" and insert "**\$281**".
- Page 3, line 29, delete "\$375" and insert "**\$383**".
- Page 3, line 30, delete "\$450" and insert "**\$459**".
- Page 4, line 27, delete "\$125" and insert "**\$128**".
- Page 4, line 30, delete "\$235" and insert "**\$240**".
- Page 4, line 31, delete "\$325" and insert "**\$332**".
- Page 4, line 32, delete "\$400" and insert "**\$408**".
- Page 5, line 22, after "one" insert "**and two hundredths**".
- Page 5, line 22, delete "(1%)" and insert "**(1.02%)**".
- Page 6, line 4, after "one" insert "**and two hundredths**".
- Page 6, line 4, delete "(1%)" and insert "**(1.02%)**".

(Reference is to HB 1161 as printed January 22, 2016.)

NIEZGODSKI

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 1. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a 13th check."

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 1. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a 13th check."

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 1. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a 13th check."

WOLKINS

Motion prevailed.

The question was on the motion of Representative Niezgodski. Upon request of Representatives Niezgodski and Pelath, the Speaker ordered the roll of the House to be called. Roll Call 32: yeas 27, nays 62. Motion failed.

HOUSE MOTION (Amendment 1161-4)

Mr. Speaker: I move that House Bill 1161 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Page 2, line 7, delete "must be deposited in the pension" and insert "**is appropriated for the 2016-2017 state fiscal year for the following:**

(A) For the family and social services administration, ten million dollars (\$10,000,000) for adult protective services.

(B) For the family and social services administration, five million dollars (\$5,000,000) for community and home options to institutional care for the elderly and disabled (C.H.O.I.C.E.) in-home services.

(C) For the family and social services administration, five million dollars (\$5,000,000) for the pre-k education pilot program. This appropriation shall be used to fund pilot programs from among the initial applicants in those counties in which programs were not funded. The family and social services administration shall work with the

department of education to mutually agree on which of these initial applicants are in a position to commence a pilot program and enroll students in August of 2016.

(D) For the department of agriculture, seven hundred thousand dollars (\$700,000) for distributions to food banks.

These appropriations are in addition to the appropriations made for these purposes in HEA 1001-2015. Any amount that is unexpended at the end of the 2016-2017 state fiscal year does not revert to the state general fund but remains available for carrying out these purposes after June 30, 2017."

Page 2, delete lines 8 through 11.

Renumber all SECTIONS consecutively.

(Reference is to HB 1161 as printed January 22, 2016.)

PORTER

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Torr withdrew the point of order.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 4. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a 13th check."

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 4. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. A close family member stands to benefit financially, because I have a conflict of interest that in order to safeguard and bolster the public's trust in the House of Representative, I need to be excused."

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1161, Amendment 4. Pursuant to House Rule 46, the reason for the request is the following:

"I have a duty to conduct my official duties in a manner that avoids the appearance of impropriety. I am a retired teacher, and this matter will directly benefit me through the issuance of a 13th check."

KLINKER

Motion prevailed.

The question was on the motion of Representative Porter. Upon request of Representatives Porter and Pelath, the Speaker ordered the roll of the House to be called. Roll Call 33: yeas 25, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1169

Representative Saunders called down House Bill 1169 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1169-1)

Mr. Speaker: I move that House Bill 1169 be amended to read as follows:

Page 2, line 16, reset in roman "acquisition cost".

Page 2, line 17, delete "assessed value".

(Reference is to HB 1169 as printed January 22, 2016.)

TRUITT

Motion prevailed.

HOUSE MOTION
(Amendment 1169-2)

Mr. Speaker: I move that House Bill 1169 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-28-17-1, AS AMENDED BY P.L.187-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) The corporation shall do the following to carry out this chapter:

(1) Contribute to the strengthening of the economy of Indiana by encouraging the organization and development of new business enterprises, including technologically oriented enterprises.

(2) Approve and administer loans from the small business development fund established by IC 5-28-18.

(3) Conduct activities for nontraditional entrepreneurs under IC 5-28-18.

(4) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(5) Assist small businesses in obtaining state and federal:

(A) tax incentives;

(B) grants, including grants awarded under the federal Small Business Innovation Research and Small Business Technology Transfer programs; and
(C) loans.

(b) The corporation may do the following to carry out this chapter:

(1) Receive money from any source, enter into contracts, and expend money for any activities appropriate to its purpose.

(2) Do all other things necessary or incidental to carrying out the corporation's functions under this chapter.

(3) Establish programs to identify entrepreneurs with marketable ideas and to support the organization and development of new business enterprises, including technologically oriented enterprises.

(4) Conduct conferences and seminars to provide entrepreneurs with access to individuals and organizations with specialized expertise.

(5) Establish a statewide network of public, private, and educational resources to assist the organization and development of new enterprises.

(6) Cooperate with public and private entities, including the Indiana Small Business Development Center Network and the federal government marketing program, in exercising the powers listed in this subsection.

(7) Establish and administer the small and minority business financial assistance program under IC 5-28-20.

(8) Approve and administer loans from the small business development fund established by IC 5-28-18.

(9) Coordinate state funded programs that assist the organization and development of new enterprises.

SECTION 2. IC 5-28-39 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:

Chapter 39. Manufacturing Reinvestment Accounts

Sec. 1. The following definitions apply throughout this chapter:

- (1) "Authorized manufacturer" means an eligible manufacturer that has been authorized by the corporation to establish a manufacturing reinvestment account under section 2 of this chapter.
- (2) "Eligible manufacturer" means a business entity:
 - (A) to which a North American Industry Classification System (NAICS) code in the manufacturing sector is properly attributable (codes beginning with the digits 31, 32, or 33); and
 - (B) that employs fifty (50) or fewer employees at the time an application is made under section 2(a) of this chapter.
- (3) "Manufacturing reinvestment account" means a deposit account established by an authorized manufacturer with a financial institution (as defined in IC 28-1-1-3(1)) in Indiana and designated by the authorized manufacturer as a manufacturing reinvestment account.

Sec. 2. (a) An eligible manufacturer may apply to the corporation for authorization to establish a manufacturing reinvestment account under this chapter.

(b) After the corporation receives an application under subsection (a), the corporation shall take reasonable steps to verify that the applicant is an eligible manufacturer. Subject to subsections (c) and (d), if the corporation verifies that an applicant is an eligible manufacturer, the corporation shall issue a letter of authorization to the applicant. If the corporation determines that an applicant is not an eligible manufacturer, the corporation is unable to verify whether the applicant is an eligible manufacturer, or the limit on the number of authorized manufacturers specified in subsection (d) has been reached before the applicant's application is received, the corporation shall issue a letter of denial to the applicant.

(c) The corporation shall review applications under subsection (b) in the order in which the applications are received until the limit specified in subsection (d) is reached.

(d) The corporation may not authorize more than one hundred (100) eligible manufacturers under this chapter.

Sec. 3. After an authorized manufacturer has received a letter of authorization from the corporation under section 2 of this chapter, the authorized manufacturer may establish a manufacturing reinvestment account with a financial institution in Indiana. An authorized manufacturer may not use a deposit account established with a financial institution in Indiana before the date on which the letter of authorization was issued to the authorized manufacturer as the authorized manufacturer's manufacturing reinvestment account. An authorized manufacturer may establish only one (1) manufacturing reinvestment account.

Sec. 4. The purpose of a manufacturing reinvestment account and its associated tax advantages is to encourage an authorized manufacturer to accumulate money to be spent on the following items over the period of the authorized manufacturer's five (5) consecutive taxable years beginning with the taxable year in which a letter of authorization is issued to the authorized manufacturer under section 2 of this chapter:

- (1) Manufacturing equipment.
- (2) The training of workers in skills needed for manufacturing jobs.
- (3) Acquisition of or improvements to real property to be used for manufacturing activities.

Sec. 5. Money remaining in an authorized manufacturer's

manufacturing reinvestment account on the final day of the authorized manufacturer's fifth consecutive taxable year beginning with the taxable year in which the authorized manufacturer was issued a letter of authorization under section 2 of this chapter is considered to have been spent for a purpose other than a purpose specified in section 4 of this chapter."

Page 4, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 6. IC 6-3-1-3.5, AS AMENDED BY P.L.250-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

- (1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
- (2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.
- (3) Subtract one thousand dollars (\$1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars (\$1,000).
- (4) Subtract one thousand dollars (\$1,000) for:
 - (A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code;
 - (B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
 - (C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.
- (5) Subtract:
 - (A) one thousand five hundred dollars (\$1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004); and
 - (B) five hundred dollars (\$500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars (\$40,000).

This amount is in addition to the amount subtracted under subdivision (4).

- (6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.
- (7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).
- (8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.
- (9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the

taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

(10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.

(11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.

(12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse, or both.

(13) Subtract an amount equal to the lesser of:

(A) two thousand five hundred dollars (\$2,500); or

(B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.

(14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.

(15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(18) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(19) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.

(20) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the individual's federal adjusted gross income under the Internal Revenue Code.

(21) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as

provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(22) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(23) Add an amount equal to the sum of:

(A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose specified in IC 5-28-39-4; and

(B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-39-4.

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code.

(3) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Add to the extent required by IC 6-3-2-20 the amount of intangible expenses (as defined in IC 6-3-2-20) and any directly related intangible interest expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes.

(10) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).

(11) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the corporation's taxable income under the Internal Revenue Code.

(12) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(13) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(14) Add an amount equal to the sum of:

(A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose specified in IC 5-28-39-4; and

(B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-39-4.

(c) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code.

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been

computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 or Section 810 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(10) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(11) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(d) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code.

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(8) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(9) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(10) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(11) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(e) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

(3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code.

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding twenty-five thousand dollars (\$25,000).

(6) Add an amount equal to the amount that a taxpayer claimed as a deduction for domestic production activities for the taxable year under Section 199 of the Internal Revenue Code for federal income tax purposes.

(7) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7; and

(B) included in the taxpayer's taxable income under the Internal Revenue Code.

(8) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(9) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(10) Add an amount equal to the sum of:

(A) fifty percent (50%) of the distributions from a manufacturing reinvestment account that are used by an authorized manufacturer for a purpose specified in IC 5-28-39-4; and

(B) one hundred percent (100%) of the distributions from a manufacturing reinvestment account that are used for a purpose other than a purpose specified in IC 5-28-39-4.

SECTION 7. IC 6-3-2-26 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]: **Sec. 26.**

(a) This section applies only to taxable years beginning after December 31, 2015.

(b) The following definitions apply throughout this section:

(1) "Authorized manufacturer" has the meaning set

forth in IC 5-28-39-1(1).

(2) "Manufacturing reinvestment account" has the meaning set forth in IC 5-28-39-1(3).

(c) An authorized manufacturer is entitled to a deduction from adjusted gross income in each of the authorized manufacturer's five (5) consecutive taxable years beginning with the authorized manufacturer's taxable year in which the authorized manufacturer obtains authorization under IC 5-28-39 to establish a manufacturing reinvestment account for the lesser of:

(1) the amount that the authorized manufacturer deposits in the authorized manufacturer's manufacturing reinvestment account during the taxable year; or

(2) one hundred thousand dollars (\$100,000).

(d) Interest that is earned on money on deposit in an authorized manufacturer's manufacturing reinvestment account is considered to be a deposit in the manufacturing reinvestment account for the taxable year in which the interest is earned.

(e) An authorized manufacturer that wishes to claim the deduction provided by this section shall submit any documentation about the authorized manufacturer's manufacturing reinvestment account that the department reasonably requires to determine the authorized manufacturer's eligibility to claim the deduction.

SECTION 8. IC 6-3.1-34 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:

Chapter 34. The Indiana Goes Back to Work Tax Credit

Sec. 1. This chapter applies only to taxable years beginning after December 31, 2015.

Sec. 2. The following definitions apply throughout this chapter:

(1) "Eligible unemployed individual" means an individual who is:

(A) a resident of Indiana; and

(B) is totally unemployed;

at the time the individual is hired by a taxpayer.

(2) "State tax liability" means a taxpayer's total tax liability that is incurred under:

(A) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(B) IC 6-5.5 (the financial institutions tax); and

(C) IC 27-1-18-2 (the insurance premiums tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

(3) "Taxpayer" means a person, corporation, partnership, or other entity that has any state tax liability.

(4) "Totally unemployed" has the meaning set forth in IC 22-4-3-1, including any limitations on the term under IC 22-4-3.

Sec. 3. (a) Each taxable year, except as otherwise provided in this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for each eligible unemployed individual the taxpayer hires during the taxable year for employment in Indiana. For each eligible unemployed individual hired by the taxpayer during the taxable year for employment in Indiana, the amount of the credit is equal to the product of:

(1) two thousand dollars (\$2,000); multiplied by

(2) the lesser of:

(A) a fraction equal to:

(i) the number of hours actually worked by the

eligible unemployed individual for the taxpayer during the taxable year; divided by

(ii) two thousand (2,000) hours; or

(B) one (1).

(b) A taxpayer may not claim the credit provided by subsection (a) for hiring an eligible unemployed individual to the extent the taxpayer uses the employment of the eligible unemployed individual as the basis for claiming any other credit under this article.

Sec. 4. If a pass through entity does not have state tax liability for a taxable year but is otherwise entitled to the tax credit provided by this chapter, each shareholder, partner, or member of the pass through entity is entitled to a share of the tax credit equal to:

(1) the amount of the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

Sec. 5. (a) If the credit provided by this chapter exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried forward to succeeding taxable years and used as a credit against the taxpayer's state tax liability during those taxable years. Each time the credit is carried forward to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for not more than four (4) taxable years following the first year for which the credit is claimed.

(b) A taxpayer is not entitled to a carryback or refund of any unused credit under this chapter.

Sec. 6. To receive the tax credit under this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department.

SECTION 9. [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)] (a) IC 6-3-1-3.5, as amended by this act, applies only to taxable years beginning after December 31, 2015.

(b) This SECTION expires July 1, 2019."

Renumber all SECTIONS consecutively.

(Reference is to HB 1169 as printed January 22, 2016.)

FORESTAL

Representative Torr rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

The bill was ordered engrossed.

House Bill 1272

Representative Zent called down House Bill 1272 for second reading. The bill was read a second time by title.

HOUSE MOTION (Amendment 1272-1)

Mr. Speaker: I move that House Bill 1272 be amended to read as follows:

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 5. IC 25-27.5-5-2, AS AMENDED BY P.L.197-2011, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) A physician assistant must engage in a dependent practice with physician supervision. A physician assistant may perform, under the supervision of the supervising physician, the duties and

responsibilities that are delegated by the supervising physician and that are within the supervising physician's scope of practice, including prescribing and dispensing drugs and medical devices. A patient may elect to be seen, examined, and treated by the supervising physician.

(b) If a physician assistant determines that a patient needs to be examined by a physician, the physician assistant shall immediately notify the supervising physician or physician designee.

(c) If a physician assistant notifies the supervising physician that the physician should examine a patient, the supervising physician shall:

(1) schedule an examination of the patient in a timely manner unless the patient declines; or

(2) arrange for another physician to examine the patient.

(d) If a patient is subsequently examined by the supervising physician or another physician because of circumstances described in subsection (b) or (c), the visit must be considered as part of the same encounter except for in the instance of a medically appropriate referral.

(e) A supervising physician or physician assistant who does not comply with subsections (b) through (d) is subject to discipline under IC 25-1-9.

(f) A physician assistant's supervisory agreement with a supervising physician must:

(1) be in writing;

(2) include all the tasks delegated to the physician assistant by the supervising physician;

(3) set forth the supervisory plans for the physician assistant, including the emergency procedures that the physician assistant must follow; and

(4) specify the ~~name of the drug or drug classification being delegated to the physician assistant and the protocol the physician assistant shall follow in prescribing a drug.~~

(g) The physician shall submit the supervisory agreement to the board. The physician assistant may prescribe a drug under the supervisory agreement unless the board denies the supervisory agreement. Any amendment to the supervisory agreement must be resubmitted to the board, and the physician assistant may operate under any new prescriptive authority under the amended supervisory agreement unless the agreement has been denied by the board.

(h) A physician or a physician assistant who violates the supervisory agreement described in this section may be disciplined under IC 25-1-9."

Renumber all SECTIONS consecutively.

(Reference is to HB 1272 as printed January 22, 2016.)

DAVISSON

Motion prevailed. The bill was ordered engrossed.

House Bill 1278

Representative Davisson called down House Bill 1278 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1322

Representative Koch called down House Bill 1322 for second reading. The bill was read a second time by title.

HOUSE MOTION

(Amendment 1322-1)

Mr. Speaker: I move that House Bill 1322 be amended to read as follows:

Page 46, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 68. IC 14-11-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) A member of the commission, a division director, or a hearing officer appointed by the commission may do the following:

(1) Administer oaths and certify to official acts.

(2) Require information from any person for purposes of this title.

(3) Issue subpoenas.

(4) Require the attendance of witnesses.

(5) Examine witnesses under oath.

(b) If a person fails to comply with an order issued under this chapter or under IC 14-3-1 (before its repeal), the circuit court, **superior court, or probate court** having jurisdiction over the person shall, on request, require compliance with the order.

SECTION 69. IC 14-27-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. Before making financial commitments described in this chapter with a federal agency, the board of directors must file a petition for approval of the proposed action in the circuit court, **superior court, or probate court** of the county in which the most land affected by the construction or improvements lies. The petition must state the following for the proposed loan:

(1) The purpose.

(2) The amount.

(3) The terms.

SECTION 2. IC 14-27-8-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 16. (a) Upon the death or removal from the county of a drainage commissioner, the board of commissioners of the county shall appoint a successor.

(b) A drainage commissioner is subject to removal for cause upon written charges filed against the drainage commissioner in the circuit court, **superior court, or probate court**.

SECTION 3. IC 14-27-9-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) The board shall hear an objection offered by an affected landowner to the assessment for repairs within ten (10) days of the posting under section 1 of this chapter.

(b) An affected landowner may appeal the assessment to the circuit court, **superior court, or probate court** of the county within ten (10) days after the hearing.

SECTION 4. IC 14-28-4-27 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 27. (a) The commission may institute the following:

(1) A suit for injunction in the circuit court, **superior court, or probate court** with jurisdiction in the county to restrain an individual or a governmental entity from violating this chapter or an ordinance adopted under this chapter or under IC 13-2-22.6 (before its repeal).

(2) A suit for a mandatory injunction directing an individual or a governmental entity to remove a structure erected in violation of:

(A) this chapter or IC 13-2-22.6 (before its repeal); or

(B) an ordinance adopted under this chapter or under IC 13-2-22.6 (before its repeal).

(b) If the commission is successful in the commission's suit, the respondent shall pay the costs of the action. A change of venue from the county may not be granted.

SECTION 5. IC 14-33-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. The circuit court, **superior court, or probate court** with jurisdiction in the county having the most land in the proposed district has exclusive jurisdiction over the establishment of the district. If the district is established, this court also has exclusive jurisdiction over all further hearings in connection with the district.

SECTION 6. IC 14-33-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) At each annual meeting of the district, directors shall be elected to fill vacancies on the board due to expiration of terms, resignation, or otherwise. The election shall be conducted by written ballots. Except as provided in subsection (c), to be elected an individual must receive a majority of the votes of the freeholders of the district who are:

(1) present and voting in person; or

(2) absent but have mailed or delivered a written ballot vote.

(b) A written ballot vote must be signed and mailed or delivered to the district office. A ballot is valid if delivered or received before the scheduled date of the annual meeting.

(c) Upon receipt of a petition from the board of directors of a conservancy district, the ~~circuit~~ court may modify the order establishing the district under IC 14-33-2-27 to provide that each director representing an area established under IC 14-33-2-27 shall be elected by a majority of the votes of the freeholders of the respective areas.

SECTION 7. IC 14-33-5.4-3.5, AS ADDED BY P.L.16-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.5. (a) If in the opinion of the secretary of the district a freehold has been divided into multiple freeholds for the sole purpose of increasing the number of freeholders eligible to cast a vote in an election under this chapter, the secretary of the district may determine to exclude the freeholders of those multiple freeholds from the list of freeholders referred to in section 3(f) of this chapter.

(b) The determination of the secretary of the district under subsection (a) may be challenged by petitioning the circuit court, **superior court, or probate court** that created the district.

SECTION 8. IC 14-33-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Except as provided in subsection (b), this chapter applies to a district if construction of works of improvement has not begun within six (6) years after the district plan is approved by the ~~circuit~~ court.

(b) Even if the construction of works of improvement has not begun within six (6) years after the district plan of a district was approved, this chapter does not apply to the district if the ~~circuit~~ court having jurisdiction over the district under IC 14-33-2-9 determines that the board of directors of the district has, since the approval of the district plan, worked diligently and in good faith to resolve the matters that must be resolved before construction can begin.

SECTION 9. IC 14-33-16.5-10, AS ADDED BY P.L.189-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) After an election is held under this chapter, the assistant secretary of the smaller district shall do the following:

(1) Keep the ballots safe and secure until the end of the voting period.

(2) At the end of the voting period, present all ballots cast to the three (3) clerks.

(3) Record the election results in the records of the smaller district.

(4) Certify the results of the election to the county auditor and the ~~circuit~~ court having supervisory jurisdiction over the smaller district as promptly as possible.

(b) The clerks of the smaller district shall do the following:

(1) Count the ballots.

(2) Report the results of the election to the secretary in writing over the signature of each clerk.

SECTION 10. IC 14-33-16.5-13, AS ADDED BY P.L.189-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 13. (a) In an election held under this chapter, if a majority of the freeholders of the smaller district votes to dissolve the smaller district, not later than sixty (60) days after the election, as the final action of the board of directors of the smaller district, the board shall:

(1) make a full and final accounting to the ~~circuit~~ court having supervisory jurisdiction over the smaller district; and

(2) file all records of the smaller district with the court.

(b) If the smaller district's board of directors fails to timely comply with subsection (a), the ~~circuit~~ court having supervisory jurisdiction over the smaller district shall order the board to

comply or suffer a finding of contempt of court.

(c) The larger district shall take custody and control of the smaller district's operations, obligations, and assets on the earlier of:

(1) the date the smaller district's board of directors complies with subsection (a)(1); or

(2) the sixtieth day after the election.

(d) The larger district is directly responsible for payment of the smaller district's bonds or notes outstanding upon the larger district taking custody and control of the smaller district's operations, obligations, and assets.

(e) When the smaller district's board of directors complies with subsection (a), the ~~circuit~~ court shall issue an order:

(1) dissolving the smaller district; and

(2) discharging the board of directors of the smaller district.

SECTION 11. IC 14-33-17-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 20. The circuit court, **superior court, or probate court** of the county in the merged district having the most land has exclusive jurisdiction over the merger and over all further hearings in connection with the district.

SECTION 12. IC 14-33-19-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. A petition filed under section 3 of this chapter must be filed as follows:

(1) For a levee district, in the court establishing the levee district.

(2) For an incorporated levee association formed under Acts 1913, c.165, in the circuit court, **superior court, or probate court** of the county in which the principal offices of the incorporated levee association are located.

SECTION 13. IC 14-33-20-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 30. If:

(1) the:

(A) board defaults in the payment of the principal or interest on any of the bonds, notes, or other evidences of indebtedness payable from revenues after the bonds, notes, or other evidences of indebtedness have become due, whether at maturity or upon call for redemption; and

(B) default continues for a period of thirty (30) days; or

(2) the board or the board's officers, agents, or employees:

(A) fail or refuse to comply with this chapter; or

(B) default in an agreement made with the holders of the bonds, notes, or other evidences of indebtedness;

any holder or a trustee of a holder may apply to the circuit court, **superior court, or probate court** with jurisdiction in the county in which the district is primarily situated for the appointment of a receiver of the water facilities, whether or not the holder or trustee is seeking or has sought to enforce any other right or remedy in connection with the bonds, notes, or other evidences of indebtedness.

SECTION 14. IC 14-33-20-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 31. Upon an application the circuit court, **superior court, or probate court**:

(1) may appoint; and

(2) shall appoint, if the application is made by the holders or a trustee of the holders of twenty-five percent (25%) in principal amount of the bonds, notes, or other evidences of indebtedness then outstanding;

a receiver of the water facilities."

Page 81, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 125. IC 31-30-1-10, AS AMENDED BY P.L.206-2015, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. A circuit court ~~has~~ and **superior court** have concurrent original jurisdiction with the juvenile court, including the probate court described in IC 33-31-1-9(b), for the purpose of establishing the paternity of a child in a proceeding under:

- (1) IC 31-18.5;
 - (2) IC 31-1.5 (before its repeal); or
 - (3) IC 31-2-1 (before its repeal);
- to enforce a duty of support."

Page 111, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 185. IC 36-9-28-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3. (a) In making an order for a project under this chapter, the municipal works board shall consider whether the project will beneficially or injuriously affect any property outside the corporate boundaries of the municipality.

(b) If the works board finds that the proposed project will injuriously or beneficially affect property outside the corporate boundaries of the municipality, it shall file with the circuit court, **superior court, or probate court** for the county a record of all the proceedings concerning the project, including:

- (1) a list of all persons whose property will be affected, as determined from the records of the county at the time the works board passes the order for the project; and
- (2) a description of the boundaries of the affected area.

The proceedings shall be docketed in the circuit court, **superior court, or probate court** in the same manner as other civil actions, and the court shall fix a time when the proceedings shall be heard.

(c) If the works board finds that the proposed project will not affect property outside the corporate boundaries of the municipality, it may not proceed with the project under this chapter.

SECTION 2. IC 36-9-28-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) After the letting of a contract or contracts under section 5 of this chapter, the ~~circuit~~ court shall appoint three (3) competent, disinterested residents of the county to serve as the board of assessors for the project. The assessors shall take an oath to honestly and faithfully perform their duties as assessors.

(b) The board of assessors shall:

- (1) inspect the line of the proposed project and the property within the area affected by the project;
- (2) estimate and assess the benefits against each piece of property to be benefited by the project;
- (3) award damages to each piece of property to be injuriously affected by the project; and
- (4) prepare and file with the clerk of the circuit court an assessment roll of the assessment against each property owner.

The clerk shall then give written notice of the assessment and the right to appeal by certified mail or personal service upon each of the property owners being assessed as his name and address appears on the tax records of the county. The clerk shall make and file in his records an affidavit of the giving of the notice.

(c) Appeals from the assessments may be made to the circuit court within fifteen (15) days after the time of the filing of the clerk's affidavit of service. The appeals shall be conducted in the manner directed by the ~~circuit~~ court.

(d) In hearing appeals of assessments, the board of assessors shall:

- (1) sit at the times and places directed by the court;
- (2) administer oaths;
- (3) send for persons and papers; and
- (4) hear testimony concerning the question of benefits and damages to be assessed.

The hearing may be continued from day to day.

(e) After hearing any appeals, the board of assessors shall finalize the roll of property owners whose property will be benefited or injured by the project, including:

- (1) a description of the property affected; and
- (2) the amount of the benefits or damages to the property, listed opposite each description;

and shall file it with the ~~circuit~~ court.

(f) The board of assessors may correct a mistake or supply an omission in the roll at any time. Proceedings under this chapter are not defective or void because of an omission or defect in the roll, and a property owner may not object to the proceedings on the ground of any mistake in or omission of:

- (1) the name of any person; or
- (2) the description of any property.

The ~~circuit~~ court may call the board together to make any necessary additions or corrections to the roll.

(g) An action to contest the assessments and the acts of the board of assessors must be commenced within:

- (1) thirty (30) days after the affidavit of service by the clerk of the circuit court; or
- (2) if an appeal is taken, within thirty (30) days after the filing of the final report with the court.

(h) The ~~circuit~~ court shall make reasonable allowances to the board of assessors and for attorney's fees, and shall tax these allowances with the other costs of the proceedings. The allowances are payable out of money available from bond proceeds, assessments, or the municipal treasury.

SECTION 3. IC 36-9-28-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) If the financing for a project under this chapter is to be provided by the federal government, one (1) or more bonds may be issued at any time after the filing of the assessment roll with the ~~circuit~~ court under section 6 of this chapter.

(b) Bonds issued under this section are payable solely from:

- (1) the assessments made or to be made against the property benefited; or
- (2) the money appropriated for that purpose by the municipality;

and are not a general obligation of the municipality.

(c) Notwithstanding any other law, a financing agreement with the federal government may provide that a municipal ordinance may determine:

- (1) the interest rate or rates on the bonds and the assessments;
- (2) the time or times of maturities or of principal and assessment payments;
- (3) the terms, if any, for redemption of the bonds;
- (4) the medium and the place or places for payment of the bonds, including payment by mail to an owner of any fully registered bond; and
- (5) any other necessary terms and conditions.

(d) Bonds issued under this section need not be advertised for public sale.

SECTION 4. IC 36-9-28-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. (a) When the municipal works board finally accepts a project under this chapter, it shall certify the completion and acceptance of the project to the ~~circuit~~ court. The court shall then direct the clerk of the court to make out two (2) copies of a list showing:

- (1) the owners of the property affected by the project;
- (2) a description of each parcel of property affected by the project; and
- (3) the benefits and damages assessed upon or in favor of each parcel.

The clerk shall certify the copies under the seal of the court, and shall deliver one (1) copy to the municipal fiscal officer and one (1) copy to the county treasurer.

(b) If the works board finds that the project is necessary for the public welfare of the municipality and that the benefits assessed will fall below the amount required to pay the damages awarded and to pay for the project, the board shall order that any balance required for this purpose shall be paid by the municipality out of the general fund or out of any other available money. If the works board finds that the benefits assessed exceed the amount of financing needed, each assessment shall be reduced on a pro rata basis.

SECTION 5. IC 36-9-28-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 11. (a) After a project is completed and approved under this chapter, the care, management, control, repair, and maintenance of the project may be placed under the jurisdiction of a board of directors appointed under this section.

(b) A petition requesting the appointment of a board of directors for the project may be filed with the clerk of the circuit court. The petition may be signed by:

- (1) the municipal works board, if all or part of the municipality is located in the area affected by the project;
- (2) the executive and legislative body of a township, if all or part of the township is located in the area affected by the project;
- (3) any twenty-five (25) landowners who reside in a municipality and whose lands are located in the area affected by the improvement; or
- (4) any twenty-five (25) landowners who do not reside in a municipality and whose lands are located in the area affected by the project.

The petition shall be docketed as a pending action, and the court shall fix a time when the petition shall be heard.

(c) After the petition is filed and docketed, the clerk of the circuit court shall give notice of the hearing by publication in accordance with IC 5-3-1. The notice shall be addressed to all persons who were originally assessed for the construction of the project.

(d) Any person owning land located in the area affected by the project may appear at the hearing and be heard, either in person or by his attorney.

(e) If the ~~circuit~~ court determines that a board of directors should be appointed and assessments should be imposed for the care, management, control, repair, and maintenance of the project, the court shall enter a judgment accordingly. If the court enters such a judgment, two (2) members of the board of directors shall be appointed by the county executive and one (1) member of the board of directors shall be appointed by the municipal executive. The three (3) appointed persons must be qualified under section 12 of this chapter.

(f) If the court determines that a board of directors should not be appointed, it shall dismiss the petition."

Renumber all SECTIONS consecutively.

(Reference is to HB 1322 as printed January 22, 2016.)

KOCH

Motion prevailed. The bill was ordered engrossed.

House Bill 1372

Representative Lehman called down House Bill 1372 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Friend.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1378

Representative Bosma called down Engrossed House Bill 1378 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 34: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Hershman.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed House Bill 1344

Representative Leonard called down Engrossed House Bill 1344 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 35: yeas 67, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Boots and Kenley.

Engrossed House Bill 1298

Representative Negele called down Engrossed House Bill 1298 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 36: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bray.

Engrossed House Bill 1248

Representative Truitt called down Engrossed House Bill 1248 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 37: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Pete Miller and Charbonneau.

Representative Stemler, who had been present, is now excused.

Engrossed House Bill 1181

Representative Burton called down Engrossed House Bill 1181 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

HOUSE MOTION

Mr. Speaker: I move pursuant to House Rule 47 to be excused from voting on House Bill 1181. I have a direct and pecuniary interest in the result in that I am on the board of a local bank and my vote could have a direct impact on the bank on whose board I serve.

THOMPSON

Motion prevailed.

Roll Call 38: yeas 69, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Holdman.

Engrossed House Bill 1154

Representative Braun called down Engrossed House Bill 1154 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 39: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Mishler.

Engrossed House Bill 1102

Representative Steuerwald called down Engrossed House Bill 1102 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 40: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Steele and Young.

Engrossed House Bill 1088

Representative Bacon called down Engrossed House Bill 1088 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1088 be returned to the second reading calendar forthwith for the purpose of amendment.

BACON

Motion prevailed.

Engrossed House Bill 1081

Representative Thompson called down Engrossed House Bill 1081 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 41: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Hershman.

Engrossed House Bill 1064

Representative Slager called down Engrossed House Bill 1064 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 42: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

Engrossed House Bill 1053

Representative Bacon called down Engrossed House Bill 1053 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 43: yeas 61, nays 32. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Houchin and Becker.

Engrossed House Bill 1040

Representative Cox called down Engrossed House Bill 1040 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 44: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Kruse.

REPORTS FROM COMMITTEES**COMMITTEE REPORT**

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1004, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 7.

Page 12, delete lines 2 through 8, begin a new paragraph and insert:

"(b) A school corporation may not hire more than ten percent (10%) of the school corporation's teachers under this section."

Page 12, delete lines 9 through 18.

Page 15, after line 11, begin a new paragraph and insert:

"SECTION 9. IC 20-29-2-4, AS AMENDED BY P.L.1-2007, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. "Certificated employee" means a person:

(1) whose contract with the school corporation requires that the person hold a license or permit from the division of professional standards of the department under IC 20-28; or

(2) who is employed as a teacher by a charter school established under IC 20-24; or

(3) who is hired by a school corporation under IC 20-26-5-5.5."

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 3.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1005, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 10, after "board" insert **", in consultation with, and with assistance as necessary from, the department,"**

Page 2, line 24, after "board" insert ", in consultation with, and with assistance as necessary from, the department,".

Page 3, line 36, after "board" insert ", in consultation with, and with assistance as necessary from, the department,".

Page 4, line 1, after "board" insert ", in consultation with, and with assistance as necessary from, the department,".

Page 4, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 4. IC 20-20-43 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:

Chapter 43. System for Teacher and Student Advancement Grant Fund and Program

Sec. 1. As used in this chapter, "fund" refers to the system for teacher and student advancement grant fund established in section 3 of this chapter.

Sec. 2. As used in this chapter, "program" refers to the system for teacher and student advancement grant program established by section 4 of this chapter.

Sec. 3. (a) The system for teacher and student advancement grant fund is established for the purpose of providing grants to school corporations to implement programs described in section 4 of this chapter.

(b) The fund consists of the following:

(1) Appropriations made by the general assembly.

(2) Gifts, grants, devises, or bequests made to the commission for higher education to achieve the purposes of the fund.

(c) The state board, in consultation with the department, shall administer the fund.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for the purpose of this chapter.

Sec. 4. (a) After June 30, 2017, a school corporation may receive a grant to implement the System for Teacher and Student Advancement (TAP) teacher performance model program or a teacher performance model program that includes the implementation of all the following elements:

(1) Multiple career paths.

(2) Ongoing applied professional growth.

(3) Instruction focused accountability.

(4) Performance based compensation.

(b) To receive a grant, a school corporation shall apply for the grant in a manner prescribed by the state board in consultation with the department. The state board shall establish eligibility requirements. The amount of the grant may not exceed the costs incurred by the school corporation to implement the program. A school corporation may receive a matching grant from a corporation, foundation, or any other entity in addition to a grant awarded under this chapter."

Renumber all SECTIONS consecutively.

(Reference is to HB 1005 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 2.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1173, has had the same under consideration and begs leave to report the same back to the House with the

recommendation that said bill do pass.

(Reference is to HB 1173 as introduced.)

Committee Vote: Yeas 12, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1179, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 31, after "term." insert **"The commission shall give priority to student teaching applicants when selecting applicants."**

(Reference is to HB 1179 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1219, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 17.

Page 2, line 29, reset in roman "(h)".

Page 2, line 29, delete "(i)".

Page 5, delete lines 38 through 42.

Page 6, line 1, reset in roman "(h)".

Page 6, line 1, delete "(i)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1219 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1331 as introduced.)

Committee Vote: Yeas 12, Nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 29, line 24, delete "series" and insert **"master"**.

(Reference is to HB 1336 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

STEUERWALD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1394, has had the same under consideration

and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 36 through 39, begin a new line double block indented and insert:

"(B) may use student growth as its exclusive means to determine its category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years."

Page 3, delete lines 41 through 42, begin a new line double block indented and insert:

"(B) may use student growth as its exclusive means to determine its category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years."

Page 4, delete lines 1 through 2.

Page 5, line 2, delete ":".

Page 5, delete line 3.

Page 5, line 4, delete "(13,000) students,".

Page 5, line 4, delete "; or" and insert **"or the assistant superintendent."**

Page 5, delete lines 5 through 7.

Page 5, run in lines 2 through 8.

(Reference is to HB 1394 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Act 1003 on January 21.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Mr. Speaker and Members of the House: I have on the 21st day of January, 2016, signed House Enrolled Act 1003.

REBECCA S. SKILLMAN
President of the Senate

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On January 21, 2016, I signed into law House Enrolled Act 1003.

MICHAEL R. PENCE
Governor

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Act 200 on January 21.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Mr. Speaker and Members of the House: I have on the 21st day of January, 2016, signed Senate Enrolled Act 200.

SUE ELLSPERMANN
President of the Senate

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On January 21, 2016, I signed into law Senate Enrolled Act 200.

MICHAEL R. PENCE
Governor

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that

House Bill 1004 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives V. Smith and Moed be added as coauthors of House Bill 1002.

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Smaltz and GiaQuinta be added as coauthors of House Bill 1040.

COX

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1042.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as coauthor of House Bill 1109.

HUSTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be removed as coauthor of House Bill 1118 and Representative Austin be added as coauthor.

HUSTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Baird be added as coauthor of House Bill 1137.

STEMLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stemler, Eberhart and Aylesworth be added as coauthors of House Bill 1231.

ARNOLD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Moed and V. Smith be added as coauthors of House Bill 1248.

TRUITT

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as coauthor of House Bill 1249.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Davisson and Bacon be added as coauthors of House Bill 1272.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bacon, C. Brown and Kirchhofer be added as coauthors of House Bill 1278.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Price and Pryor be added as coauthors of House Bill 1294.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Nisly and Errington be added as coauthors of House Bill 1298.

NEGELE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Richardson be added as coauthor of House Bill 1336.

COX

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as coauthor of House Bill 1370.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Judy, Clere and Torr be added as coauthors of House Bill 1378.

BOSMA

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lucas be added as coauthor of House Bill 1382.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Concurrent Resolution 13.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Senate Concurrent Resolution 4.

KOCH

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Washburne, the House adjourned at 6:04 p.m., this twenty-fifth day of January, 2016, until Tuesday, January 26, 2016, at 1:30 p.m.

BRIAN C. BOSMA

Speaker of the House of Representatives

M. CAROLINE SPOTTS

Principal Clerk of the House of Representatives